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# **JOURNAL**

OF THE

**HOUSE OF ASSEMBLY**

OF THE

**PROVINCE**

OF

**NEW BRUNSWICK,**

FROM THE

**TWENTY EIGHTH DAY OF DECEMBER**

TO THE

**NINTH DAY OF MARCH,**

*Being the First Session of the Twelfth General Assembly.*

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FREDERICTON:

JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

—  
**1838.**





By His Excellency Major General Sir JOHN HARVEY, K. C. H.  
and C. B. Lieutenant Governor and Commander in Chief of  
the Province of New Brunswick, &c. &c. &c.

*J. HARVEY, Lt. Governor.*

A PROCLAMATION.

**W**HEREAS in consequence of the Demise of His late most sacred Majesty King William the Fourth, the General Assembly of this Province, which now stands prorogued to the third Tuesday in September next, is dissolved, I do therefore publish this Proclamation declaring the said dissolution, whereof all persons whom it may concern will take due notice.

And I do hereby declare that I have this day ordered Writs for calling a new General Assembly, to be issued in due form, to bear Teste on Thursday the twenty fourth day of August instant, and be returnable on Monday the sixteenth day of October next.

Given under my Hand and Seal, at Fredericton, the eighteenth day of August in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.



By His Excellency Major General Sir JOHN HARVEY, K. C. H.  
and C. B. Lieutenant Governor and Commander in Chief of  
the Province of New Brunswick, &c. &c. &c.

*J. HARVEY, Lt. Governor.*

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province has been summoned to meet at Fredericton on Monday the sixteenth day of October instant, I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to Tuesday the nineteenth day of December next.

Given under my Hand and Seal, at Fredericton, the fourteenth day of October, in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.



By His Excellency Major General Sir JOHN HARVEY, K. C. H.  
and C. B. Lieutenant Governor and Commander in Chief of  
the Province of New Brunswick, &c. &c. &c.

*J. HARVEY, Lt. Governor.*

A PROCLAMATION.

**W**HEREAS the General Assembly of this Province stands prorogued to Tuesday the nineteenth day of December instant, and it is highly expedient for divers weighty considerations, arising out of the state of affairs in Lower Canada, that the said General Assembly should meet at an early period: I do therefore hereby summon the said General Assembly to meet at Fredericton on Thursday the twenty eighth day of December instant, for the despatch of business.

Given under my Hand and Seal, at Fredericton, the eighth day of December, in the year of our Lord one thousand eight hundred and thirty seven, and in the first year of Her Majesty's Reign.

*By His Excellency's Command.*

WM. F. ODELL.





# JOURNAL

OF THE

## HOUSE OF ASSEMBLY

OF THE

## PROVINCE

OF

# NEW BRUNSWICK.

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**His Excellency Major General Sir John Harvey, K. C. H. and C. B. Lieutenant Governor and Commander in Chief, &c. &c. &c.**

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**Fredericton, Thursday, 28th December, 1837.**

**H**IS Excellency the Lieutenant Governor having been pleased, by Proclamation, bearing date the 18th day of August last, to dissolve the late General Assembly, and to order that new Writs issue for electing Members to form a House of Assembly; and having by further Proclamation, bearing date the 8th day of December last, summoned a meeting of the General Assembly on this day for the despatch of business.

The Clerk of the Crown in Chancery delivered to the Clerk of the Assembly a Roll, containing the names of the Members returned by the Sheriffs of the several Counties as duly elected, which are as follows:—

YORK.

John Allen,  
James Taylor,  
Lemuel A. Wilmot,  
Charles Fisher,

} Esquires.

COUNTY OF SAINT JOHN.

Honorable Charles Simonds,  
John R. Partelow,  
John M. Wilmot,  
John Jordan,

} Esquires.

CHARLOTTE.

Thomas Wyer,  
George S. Hill,  
James Brown,  
Robert Thomson,

} Esquires.

WESTMORLAND.

William Wilson,  
William Crane,  
Daniel Hanington,  
Philip Palmer,

} Esquires.

NORTHUMBERLAND.

Alexander Rankin,  
John A. Street,

} Esquires.

SUNBURY.

George Hayward,  
Henry T. Partelow,

} Esquires.

KINGS.

William M'Leod,  
Samuel Freeze,

} Esquires.

QUEENS.

Honorable Hugh Johnston,  
Thomas Gilbert,

} Esquires.

KENT.

John W. Weldon,  
David M'Almon,

} Esquires.

GLOUCESTER.

William End,  
Peter Stewart,

} Esquires.

CARLETON.

Jeremiah M. Connell,  
Bartholomew C. Beardsley,

} Esquires.

CITY OF SAINT JOHN.

Thomas Barlow,  
Isaac Woodward,

} Esquires.

WM. F. ODELL, Cl. Cor.

A Commission under the Great Seal, bearing date the 9th day of December instant, appointing Ward Chipman, William Botsford, James Carter and Robert Parker, Esquires, Commissioners for the duly qualifying the said Members, being produced by James Carter, Esquire, one of the Commissioners named in the said Commission, the following Members took the oaths and subscribed the declaration.

The Honorable Charles Simonds,  
John R. Partelow,  
John Jordan,  
Thomas Barlow,  
Thomas Wyer,  
George S. Hill,  
James Brown, Junior,  
Robert Thomson,  
John Allen,  
James Taylor,  
Lemuel A. Wilmot,  
Charles Fisher,  
Philip Palmer,  
William Wilson,  
The Honorable William Crane,

Daniel Hanington,  
Samuel Freeze,  
William M'Leod,  
John A. Street,  
George Hayward,  
Henry T. Partelow,  
The Honorable Hugh Johnston,  
Thomas Gilbert,  
John W. Weldon,  
Peter Stewart,  
William End,  
David M'Almon,  
J. M. Connell,  
Bartholomew C. Beardsley.

And Isaac Woodward, Esquire, a Member for the City of Saint John, having refused the oath tendered to him by the Commissioners upon the grounds of his being of the profession of people called Quakers, made solemn declaration or affirmation, as prescribed by the Act of Assembly of the 26 Geo. III. Cap. 19, and likewise subscribed the declaration; which being done, the several Members took their seats.

A Commission under the Great Seal, bearing date the 8th day of August last, appointing George Garden, Esquire, to the office of Sergeant at Arms, in the place of H. G. Clopper, who had been appointed to the office of Audit, was then produced; whereupon it appeared that the said George Garden had duly qualified to fill the said office.

A Message was received from His Excellency the Lieutenant Governor, by Isaac Woodward Jouett, Esquire, Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended accordingly, when the Honorable Ward Chipman, Chief Justice, said:—

*“Honorable Gentlemen of the Legislative Council, and  
“Gentlemen of the House of Assembly,*

“I am commanded by His Excellency the Lieutenant Governor to inform you, that he doth not think it expedient to declare the causes for which he has summoned this General Assembly until there be a Speaker of the House of Assembly. It is therefore His Excellency's pleasure that you, Gentlemen of the Assembly, do repair to the place where your sittings are usually held, and there choose a fit person to be your Speaker; and that you present the person who shall be so chosen to His Excellency in this House to-morrow, at twelve o'clock, for his approbation.”

And the House being returned—

Mr. Wyer, a Member for the County of Charlotte, addressing himself to the Clerk, proposed to the House for their Speaker the Honorable Charles Simonds; in which motion he was seconded by John R. Partelow, Esquire, a Member for the County of Saint John; and there being no other person proposed, he was taken from his seat by the Members proposing him, and conducted by them to the Chair; where, standing on the upper Step, he returned his humble acknowledgments to the House for the great honor they had been pleased to confer upon him by choosing him to be again their Speaker; and thereupon he took the Chair.

When Mr. Partelow moved that the House do adjourn until to-morrow.

And the House accordingly adjourned until to-morrow.

FRIDAY,

**Friday, 29th December, 1837.***Prayers.*

The House being met, and the Honorable Mr. Speaker elect having taken the Chair, A Message was delivered from His Excellency the Lieutenant Governor by Isaac Woodward Jouett, Esquire, Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

Accordingly, Mr. Speaker elect with the House, went up to the Council Chamber.

And being returned—

Mr. Speaker reported, that he addressed His Excellency to the effect following:—

*“ May it please Your Excellency,*

*“ The Assembly yesterday, having received Your Excellency’s commands, returned to the place where they usually sit, and immediately proceeded to choose a Speaker. They have elected me to that important office, and now present me to be approved of by Your Excellency. Aware, however, of my inability properly to discharge the duties of that important situation, I pray Your Excellency to disapprove of the choice which the Assembly have made, and command them to choose a more fit person.”*

The Honorable Mr. Chief Justice Chipman then spoke as follows:—

*“ MR. SIMONDS—*

*“ I am commanded by His Excellency to assure you, that he is so fully sensible of your zeal for the public service, and your sufficiency to execute the duties of the high office to which you have been elected by the House of Assembly, that he doth most readily approve of their choice, and allow and confirm you to be their Speaker.”*

That he, Mr. Speaker, then further addressed His Excellency in the following words:

*“ May it please Your Excellency,*

*“ I submit with due humility to Your Excellency’s pleasure, and it now becomes my duty, on behalf of the Assembly, to demand, by humble petition, that they have all their ancient and undoubted rights and privileges, especially freedom of speech, freedom from arrest, access to Your Excellency whenever the public service may require it, and that the most favorable construction be put upon all their proceedings; and on my own behalf I have to intreat that any error of mine may not be imputed to the Assembly.”*

To which the Honorable the Chief Justice again replied:—

*“ MR. SPEAKER—*

*“ His Excellency hath the utmost confidence in the loyalty and attachment of this House of Assembly to Her Majesty’s Person and Government, and in the wisdom, temper and prudence which will accompany all their proceedings, and he doth most readily and willingly grant and allow them all their privileges in as full and ample a manner as they have at any time heretofore been granted and allowed.*

*“ With respect to yourself, Sir, though His Excellency is sensible that you do not stand in need of such an assurance, His Excellency will ever put the most favorable construction on your words and actions.”*

Mr. Street moved for leave to bring in a Bill, to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank.*

Leave granted.

Mr. Speaker then further reported, that when in attendance on His Excellency in the Council Chamber, His Excellency had been pleased to make a Speech to both Houses; and that he (Mr. Speaker) had, to prevent mistakes, procured a copy thereof; which he read to the House, and is as followeth:—

*“ Mr. President and Honorable Gentlemen of the Legislative Council,*

*“ Mr. Speaker and Gentlemen of the House of Assembly,*

*“ THE loss which the Nation has sustained in the death of His late Majesty WILLIAM THE FOURTH, of revered memory, has been followed by an exhibition of national feeling, from which every loyal subject in our widely extended Colonial Empire will not fail to derive*

derive both consolation and satisfaction. I refer to that unequivocal manifestation of deep rooted veneration for its ancient Monarchical Institutions which simultaneously burst forth in expressions of the most ardent loyalty from every part of the Mother Country, upon the occasion of the accession of Her Majesty Queen VICTORIA to the Throne of these Realms. That this enthusiastic loyalty found an echo in the breasts of the inhabitants of this Province is my most cheering persuasion—the more especially, as the particular object for which I have deemed it my duty to call you together, at this early period, is to invite your attention to the lamentable state to which the treasonable and rebellious proceedings of a certain portion of its deluded inhabitants, have reduced the neighbouring Province of Lower Canada. The disaffected having availed themselves of a season of the year when succours from the Mother Country are believed to be excluded by the rigour of the climate, it appears to be in a more especial manner incumbent upon Her Majesty's loyal subjects in the surrounding Colonies to stand forward, not with the mere expression of their sympathies, but, if required, in active support of the Royal authority, and in aid of their loyal fellow subjects in Lower Canada, now contending against the desperate efforts of a Revolutionary faction, for the preservation, to themselves and their descendants, of the inestimable blessings of British connexion. The mode and extent of this aid your own loyalty and wisdom will best devise; for myself I will only add, that my individual services, in the furtherance of such an object, shall be afforded with all the energy of which I am capable, and in any manner in which it may be considered that they can best promote it. I cannot upon this occasion refrain from expressing my high admiration of the *unchanged* loyalty and gallantry of the Militia of our Sister Colony of Upper Canada, evinced in the prompt suppression by them, unaided by any portion of Her Majesty's Troops, of the Revolutionary outbreak which was attempted by some misguided persons in that Province.

*“Mr. Speaker and Gentlemen of the House of Assembly,*

“The Treasurer's accounts and all other documents which may be necessary for your information, in regard to the Finance of the Province, shall be laid before you with all practicable expedition, and I rely with entire confidence upon your accustomed zeal and liberality to provide for the ordinary services, and for all the other objects of public utility which may be deemed to require the bounty of the Legislature.

*“Mr. President and Honorable Gentlemen of the Legislative Council,*

*“Mr. Speaker and Gentlemen of the House of Assembly,*

“Several important Despatches connected with the recent arrangements of the Provincial Revenues will be made the subject of separate Messages; in the mean time, it is my pleasing duty to declare to you, that the same sentiments of lively solicitude to promote the interests and happiness of the people of this Province which pervaded every act by which His late Majesty was known and endeared to them, will be found to influence our present most Gracious Sovereign.”

On motion of Mr. L. A. Wilmot,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor in answer to His Speech at the opening of this Session.

*Ordered*, That Mr. L. A. Wilmot, Mr. Weldon and Mr. Partelow, do compose the Committee.

On motion of Mr. End,

*Ordered*, That the House do on Tuesday next go into Committee of the whole, in consideration of His Excellency's Speech.

On motion of Mr. Weldon,

*Resolved*, That a Standing Committee be appointed to whom may be referred all matters which may hereafter arise, that may in any way be supposed to affect the Privileges of this House.

*Ordered*, That Mr. Weldon, Mr. Allen, Mr. Street, Mr. Woodward and Mr. Wyer, do compose the said Committee.

On motion of Mr. End,

*Ordered*, That two hundred copies of His Excellency's Speech be forthwith printed for the use of the Legislature.

on

On motion of the Honorable Mr. Johnston,

*Resolved*, That a Select Committee be appointed to take into consideration the state of all the Roads of Communication in the Province, and to report the same to the House; and that they also report what sums it may be necessary to grant for repairing and improving as well the Great Roads as the Bye Roads.

*Ordered*, That the Honorable Mr. Johnston, Mr. Brown, Mr. Wilson, Mr. Partelow, Mr. Hayward, Mr. L. A. Wilmot, Mr. Weldon, Mr. Freeze, Mr. End, Mr. Connell and Mr. Street, do compose the Committee.

On motion of Mr. Street,

*Resolved*, unanimously, That the Reverend James Somerville, L. L. D. be the Chaplain of this House.

On motion of Mr. Woodward,

*Resolved*, That a Committee of Trade be appointed to whom shall be referred all matters which may in any way affect the Trade of this Province.

*Ordered*, That Mr. Woodward, Mr. Barlow, Mr. J. M. Wilmot, Mr. Stewart, Mr. Wyer, Mr. H. T. Partelow and the Honorable Mr. Crane, do compose the Committee.

On motion of Mr. Street,

*Resolved*, That a Committee be appointed to revise the Rules and Regulations of the House of Assembly of this Province, and make such further Rules and Regulations as may be necessary.

*Ordered*, That Mr. Street, Mr. Fisher and Mr. Hill, do compose the Committee.

On motion of Mr. Hayward,

*Ordered*, That no Petition be received or Bill brought in after the twenty second day of January next, except by special leave of the House.

On motion of Mr. Jordan,

*Resolved*, That a Committee be appointed to take into consideration the expediency of improving the navigation of the Rivers, Bays, Harbours and Creeks in this Province.

*Ordered*, That Mr. Jordan, Mr. L. A. Wilmot, Mr. End, Mr. Thomson, Mr. Fisher, Mr. Street, Mr. Palmer, Mr. M'Leod and Mr. Connell, do compose the Committee.

On motion of the Honorable Mr. Johnston,

*Ordered*, That the Journals of this House be daily, or as soon as a copy thereof can be prepared by the Clerk, printed, and that the Printer do furnish two hundred copies for the use of the Legislature.

On motion of Mr. End,

*Resolved*, That a Committee be appointed to examine what Laws have expired or are near expiring, and report the same to the House.

*Ordered*, That Mr. End, Mr. Street and Mr. Hill, do compose the Committee.

On motion of Mr. Wyer,

*Resolved*, That a Committee be appointed to take under consideration all matters relating to Light Houses within the Province, and report thereon from time to time to the House.

*Ordered*, That Mr. Wyer, Mr. Hanington, Mr. Barlow, Mr. Stewart, Mr. M'Leod, Mr. Street and Mr. Weldon, do compose the Committee.

On motion of Mr. Brown,

*Resolved*, That a Committee be appointed to take into consideration all matters connected with the Finances of the Province, and report thereon to the House.

*Ordered*, That Mr. Brown, the Honorable Mr. Crane, Mr. Taylor, Mr. Woodward, Mr. End and Mr. Gilbert, do compose the Committee.

On motion of Mr. Hanington,

*Resolved*, That a Committee be appointed to take into consideration all matters which may in any way affect the Agricultural interests of the Province.

*Ordered*, That Mr. Hanington, Mr. Jordan, Mr. Brown, Mr. M'Almon, Mr. Hayward, Mr. Gilbert, Mr. M'Leod and Mr. Beardsley, do compose the Committee.

Mr. Beardsley moved for leave to bring in a Bill, to repeal an Act, intituled "An Act  
to

to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," and to provide for the future solemnization of Matrimony.

Leave granted.

On motion of the Honorable Mr. Johnston,

*Resolved*, That all Petitions from old Soldiers of the Revolutionary War henceforth presented to this House, instead of being referred to the Committee of Supply be referred to a Select Committee to report thereon.

*Ordered*, That Mr. Beardsley, Mr. End, Mr. Wyer, Mr. Wilson and Mr. Allen, do compose the Committee.

On motion of Mr. Hill,

*Resolved*, That a Select Committee be appointed to whom may be referred all Petitions to this House for allowances to licensed Teachers who have not received any part of the Provincial grants for Schools, to report thereon to the House.

*Ordered*, That Mr. Hill, Mr. Jordan, Mr. Hanington, Mr. Street and Mr. End, do compose the Committee.

Mr. Partelow, by leave presented a Petition from John M'Clain, a licensed Schoolmaster, praying the Provincial allowance for teaching a School in the Parish of Sussex in King's County, for one year, ending in December 1835; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Partelow, also by leave, presented a Petition from Adam Dobbin, a licensed Schoolmaster, praying the Provincial allowance for teaching a School in the Parish of Portland in the County of Saint John; which he read.

*Ordered*, That this Petition be also received, and referred to the Select Committee on School Petitions.

Mr. Wyer, by leave, presented a Petition from James Greerson, of Saint George in the County of Charlotte, an old Soldier, who served in the Revolutionary War, praying aid in his present distressed circumstances; which he read.

*Ordered*, That the said Petition be received and referred to the Select Committee for taking these Petitions under consideration.

Mr. Street, pursuant to leave, brought in a Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank*; which was read a first time.

Mr. End, by leave, presented a Petition from Charles Doucett and others, the heads of Acadian Families at Bathurst, in the County of Gloucester, praying pecuniary aid towards building their Church; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from Neil M'Bean, of Saint Stephen in the County of Charlotte, an old Soldier of the Revolutionary War, praying aid in his destitute condition; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking these Petitions under their consideration.

Mr. L. A. Wilmot, by leave, presented a Petition from Thomas Odber Miles, Esquire, a Candidate at the last General Election for the County of Sunbury, against the return of Henry T. Partelow, Esquire, one of the Members for that County, praying a Scrutiny of the votes polled for the said Henry T. Partelow, and that he may be heard by Counsel thereon; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

The Honorable Mr. Speaker laid before the House, abstracts from the Weekly Balance Sheets of the Commercial Bank for the half years ending in April and October last; the same being furnished under the terms of their Charter.

[See Appendix, No. 1.]

On

On motion of Mr. Hayward,

*Resolved*, That a Committee be appointed to whom shall be referred all matters affecting the Lumbering interests of this Province.

*Ordered*, That Mr. Hayward, Mr. Taylor, Mr. H. T. Partelow, Mr. Stewart, Mr. Brown, Mr. Street, Mr. End and Mr. Connell, do compose the Committee.

Mr. Partelow, by leave, presented a Petition from William H. Street and William P. Ranney, Merchants, of Saint John, praying to be refunded certain duties paid at the Provincial Treasury on articles imported in June last, in the Brig Clifton, direct from Canton; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Trade.

Mr. Hill, by leave, presented a Petition from James M'Kenzie and Thomas Fraser, Trustees of Schools for the Parish of Saint James, in the County of Charlotte, praying the Provincial allowance may be granted to Flora M'Kenzie and Mary Ann Buchanan, licensed Teachers, for Schools taught by them for periods of six months, in the year 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Wilson, by leave, presented a Petition from Joseph Prince, of Monkton in the County of Westmorland, a licensed Teacher, praying the Provincial allowance for teaching a School for one year, ending the 13th day of November, 1834; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Wilson, also by leave, presented a Petition from Richard Budd, of Dorchester in the County of Westmorland, an old Soldier in the Revolutionary War, praying aid in his distressed circumstances; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking these Petitions under their consideration.

Mr. Taylor, by leave, presented a Petition from William Harper, of Prince William, in the County of York, an old Soldier in the Revolutionary War, praying like aid in his distressed circumstances; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from Thomas Crawford, of the Parish of Portland in the County of Saint John, a licensed Schoolmaster, praying the Provincial allowance for teaching a School in the years 1834 and 1835; which he read.

*Ordered*. That this Petition be received, and referred to the Select Committee on School Petitions.

Mr. End moved for leave to bring in a Bill, to provide for the expenses of the Legislature, and for other purposes therein mentioned.

Leave granted.

On motion of Mr. Brown,

*Resolved*, That a Committee be appointed to take into consideration all matters connected with the Fisheries of the Province, and report thereon to this House.

*Ordered*. That Mr. Brown, Mr. Woodward, Mr. Weldon, Mr. Hanington and Mr. Barlow, do compose the Committee.

The Honorable Mr. Speaker laid before the House, a letter received from Henry Bliss, Esquire, Province Agent in London, which being read is as follows:—

*“ King's Bench Walk Temple, London, 24th April, 1837.*

“ MY DEAR SIR,

“ I have the honor to acknowledge your very obliging letter of the 20th February last, communicating to me the unanimous vote of thanks of the House of Assembly of New Brunswick, for the assistance and information afforded by me to the late Deputation.

“ This approval of my services by the House of Assembly, and the manner in which it has been communicated, are both highly gratifying to my mind, and I beg permission to return to them and to you my very sincere and humble thanks for the honor thus conferred upon me.

“ With great respect, my dear Sir, I remain ever truly and respectfully yours,

“ H. BLISS.”

CHARLES SIMONDS, ESQUIRE, Speaker of the House of Assembly of New Brunswick.

The House adjourned until to-morrow morning at 10 o'clock.



**Saturday, 30th December, 1837.***Prayers.*

Read a second time,

A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank.*

On motion of Mr. Weldon,

*Resolved*, That a Select Committee be appointed to consider all Petitions relating to double head money paid at the Treasury on Passengers.

*Ordered*, That Mr. Weldon, Mr. Wyer and Mr. H. T. Partelow, do compose the Committee.

Mr. Partelow, by leave, presented a Petition from Mackay, Brothers and Company, Merchants, of Saint John, praying to be reimbursed an excess of head money paid at the Province Treasury on Passengers by Ship Champion, in June last; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Fisher, by leave, presented a Petition from Andrew Rush, of Prince William in the County of York, an old Soldier in the Revolutionary War, praying aid in his present distressed circumstances; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same under consideration.

Mr. M'Leod, by leave, presented a Petition from Martin Austin, of King's County, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Wyer, by leave, presented a Petition from Duncan M'Farlan, of Saint Patrick in the County of Charlotte, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Connell, by leave, presented a Petition from Musco Wright, of Wakefield in the County of Carleton, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Hanington, by leave, presented a Petition from Thomas Wade, of Shediac in the County of Westmorland: also

A Petition from Hezekiah Lyon, of the same place, two old Soldiers of the Revolutionary War, praying like aid.

The Petitions being severally read,

*Ordered*, That they be received, and referred to the same Committee.

Mr. Beardsley, by leave, presented a Petition from John Giberson, of Perth in the County of Carleton: also

A Petition from Gabriel Davenport, of Andover in the same County, old Soldiers in the Revolutionary War, praying like aid.

The Petitions being severally read,

*Ordered*, That they be received, and referred to the same Committee.

Mr. Taylor, by leave, presented a Petition from Thomas Thornton, of Queensbury in the County of York, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Gilbert, by leave, presented a Petition from Joseph Hoyt, of Hampstead in Queen's County, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That this Petition be also received, and referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from the President and Directors of the Saint John Water Company, praying to be reimbursed Provincial duties paid on certain machinery, imported in July last for the use of their works; which he read.

*Ordered*,

*Ordered*, That the said Petition be received, and referred to the Committee of Trade.

Mr. Thomson, by leave, presented a Petition from Hugh M'Gowan, a licensed Schoolmaster, praying the Provincial allowance for teaching a School in the Parish of Saint Patrick in the County of Charlotte, for six months, ending in April last; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Partelow, by leave, presented a Petition from John Simkin, Master of the Barque Recovery, from Cork, Ireland, praying to be reimbursed an excess of head money paid at the Treasury, Saint John, on Passengers by that vessel in June last; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same under consideration.

On motion of Mr. Hanington,

*Resolved*, That a Committee be appointed to take into consideration the best mode to be adopted to obtain a satisfactory publication of the Debates of this House in Fredericton.

*Ordered*, That Mr. Weldon, Mr. Fisher and Mr. Beardsley, do compose the said Committee.

Mr. Wyer moved for leave to bring in a Bill, to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt.

Leave granted.

On motion of Mr. Brown,

*Resolved*, That a Standing Committee be appointed to examine and report upon Public and Private Accounts.

*Ordered*, That Mr. Partelow, Mr. Stewart, Mr. Hanington, Mr. Woodward, Mr. Wyer, Mr. Taylor and Mr. H. T. Partelow, be the Committee for that purpose.

Mr. Woodward moved for leave to bring in a Bill, to repeal the Laws relating to Wharfage and Cranage, and for establishing rates of Wharfage and Cranage on ships and other vessels, and on merchandize.

Leave granted.

Mr. End moved for leave to bring in a Bill, in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

Leave granted.

Mr. Wilson, by leave, presented a Petition from John Chappell, of Bay Verte in the County of Westmorland, praying Legislative aid towards the establishment of a Packet Boat to ply between that place and Prince Edward's Island; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Trade.

Mr. Wilson, also by leave, presented a Petition from William Siliken, of the same place, praying like aid towards the establishment of a Packet to ply to Prince Edward's Island; which he read.

*Ordered*, That this Petition be likewise received, and referred to the Committee of Trade.

Mr. Partelow, by leave, presented a Petition from John Marshall, Master of the Brig Highlander, of Belfast, Ireland, praying to be reimbursed an excess of head money paid on Passengers by that vessel, at Saint John, in July last; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. L. A. Wilmot, from the Committee appointed to prepare an Address to His Excellency the Lieutenant Governor in answer to his Speech at the opening of the Session, reported a draft thereof; which he read, and then submitted the same.

It being handed in at the Clerk's Table, was there again read; and thereupon

*Ordered*, To be accepted; and

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, on the said draft Address.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Address referred to them, and agreed to the same without making any amendment thereto.

*Ordered*, That the Report be accepted; and

On motion of Mr. Weldon,

*Resolved*, unanimously, That the Address be engrossed, signed by the Speaker, and presented to His Excellency by the whole House; and further

*Resolved*, That a Committee be appointed to wait upon His Excellency, to know when he will be pleased to receive this House therewith.

*Ordered*, That Mr. Weldon, Mr. M'Almon and Mr. Woodward, be a Committee for that purpose.

Mr. Jordan moved for leave to bring in a Bill, to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

Leave granted.

The House adjourned until Monday morning next at 10 o'clock.

### Monday, 1st January, 1838.

*Prayers.*

Mr. Weldon, from the Committee appointed on Saturday last to take into consideration the subject of publishing the Debates of this House, having attended thereto, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom was referred the duty of enquiring into the best mode in which the Debates of the House may be reported and printed, report, that they have attended to that duty, and upon enquiry from John Simpson, Esquire, the Queen's Printer, they find he is prepared to publish the Reports and Debates of the House daily, upon such Reports being furnished to him by a Reporter employed and paid by the House. That in addition thereto he would expect the House to take a certain number of the printed Reports and allow him a remuneration for the same. This mode would probably cost a sum not less than two hundred pounds.

“Mr. Ward, the Editor and Proprietor of a paper published in Fredericton weekly, called *The Sentinel*, is desirous of being allowed a convenient seat in the Gallery, and with permission of the House to be a Reporter of the Debates, and publish them semi-weekly in his paper, and leave it to the House to make him such remuneration as his conduct may deserve.

“Your Committee waive the expression of their opinion of the propriety of having the Debates published by a Printer under the immediate control of the Executive, but are decidedly of opinion that the method proposed by Mr. Ward would be the most economical, and obtain the object desired.

“Your Committee are not without doubts as to the propriety of the House employing a Reporter; it is a total departure from the practice of the House of Commons.

“All which is respectfully submitted.

“J. W. WELDON,  
CHARLES FISHER,  
B. C. BEARDSLEY.

‘Committee Room, December 30, 1837.’

*Ordered*, That the Report be accepted.

Mr. End, a Member for Gloucester, applied for leave of absence for a few days, business of great importance requiring his attendance in his County.

Which was granted.

Mr. Street, from the Committee appointed to revise the Rules and Regulations for the government of the House, reported a draft thereof, and having read the same,  
respectfully

respectfully submitted them to the consideration of the House, and they being then handed in at the Clerk's Table, were there again read.

*Ordered*, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

## **Tuesday, 2d January, 1838.**

### *Prayers.*

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor, to know when His Excellency would be pleased to receive the House with their Address in answer to His Excellency's Speech at the opening of the Session, reported, that they had attended to that duty, and His Excellency was pleased to say he would receive the House at one o'clock this day, at Government House.

On motion of Mr. Street.

The House went into Committee of the whole, on the draft Rules and Regulations for the government of the House, reported by the Select Committee appointed to prepare the same.

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Report referred to them, and agreed to the several Rules recommended, and had also added another as the twenty fifth Rule; they being then handed in at the Clerk's Table, were there severally read, and agreed to by the House, and are as follow:—

### **Rules for the government of the House of Assembly.**

1. That Prayers shall be read every day, by the Chaplain of the House, at the first opening thereof.

2. No Member to come into the House, or move from one place to another, with his hat on.

3. While the House is sitting, and any Member speaking, no Member is allowed to speak or whisper so as to interrupt him, unless it be to speak to order.

4. When any Member intends to speak, he is to stand up and address himself to the Speaker; and if more than one rises to speak, the Speaker is to determine who is up first; and the Member named by him is to speak, unless he give way to the other.

5. No Member is allowed to stand while another is speaking.

6. When any business is in debate, if any Member arises to speak to a new business any other Member may, but Mr. Speaker ought to interrupt him.

7. When any Member or Mr. Speaker speaks to order, the question of order must be decided previous to the business being proceeded in.

8. When any question is put and a division demanded, those that are for the question are to rise, and those that are against the question are to remain sitting.

9. When a motion has been made and seconded, that matter must receive a determination by the question, unless the previous question or an adjournment is moved and carried, or the motion is withdrawn by the Member who made it.

10. When a motion is made and seconded, the Member's name who made the motion is to be inserted in the Journal.

11. After a question is propounded, no Member may speak more than once to the matter, except the Member who made the motion, and he may be allowed to speak once in reply.

12. When a question is decided by vote, the number of both the affirmatives and negatives, and also the Members names, shall be inserted in the Journal if insisted upon by two or more Members.

13. That the Journal of the day be read the next morning, prior to any other business.

14. That the Sergeant at Arms do not permit any person to come within the House while it is sitting, except the Members and Officers attending.

15. That all persons who will question any return of Members to serve in General Assembly, do question the same within fourteen days (including the day of meeting) after the meeting of the House; and so within fourteen days (including the day of meeting) after any new return shall be brought in.

16. That the House will not enter into a scrutiny of votes polled at any Election of Members to serve in General Assembly, unless a scrutiny was duly demanded of the Sheriff.

17. That any Member bringing in a Petition shall in his place acquaint the House with the general purport of the Petition, and ask leave for it to be read, which must be seconded before it is read.

18. That the Speaker cannot take the Chair for the purpose of proceeding on any deliberation or doing any business whatever, except to receive the Usher of the Black Rod or a message from the Council, or to enforce the attendance of Members, unless at least fourteen Members, including Mr. Speaker, be present; but for the purpose before mentioned any number exceeding four, including Mr. Speaker, shall be deemed sufficient after the hour has arrived to which the House may be adjourned.

19. That if any Member obtain leave of this House to act as an Attorney or Counsel in any manner at the Bar of the House, he shall not speak or vote as a Member upon such matter.

20. That every Member be heard in his place touching any charge brought against him, or any matter respecting his election, return or privilege, or whenever his private interest is affected, but is to withdraw before the House proceed thereon.

21. That in case any offensive matter occurring in debate, the same shall be immediately noted down in writing and noticed in the House the same day, otherwise it shall not be afterwards considered by the House.

22. That all Orders of the Day which by reason of any adjournment shall not have been proceeded upon, shall be considered only as postponed to the next day on which the House shall sit.

23. As it might deeply entrench on the privileges of this House for any Member to answer an accusation before the Council, either in person or by sending his answer in writing, or by his Counsel there, it is ordered, that no Member of this House shall either go to the Legislative Council or send his answer in writing, or appear by Counsel, to answer any accusation there, upon penalty of being committed to the Sergeant at Arms, or to Prison, during the pleasure of this House.

24. Whereas much of the time of the House is unnecessarily taken up in discussions on Bills of a private or local nature, introduced sometimes without any Petitions from the Counties and persons which they are intended to affect; therefore resolved, that in future it be a standing Rule of this House, not to be departed from except in very particular cases, that no Bill of a private or local nature shall be received by the House unless such Bill has been previously read at some General Sessions of the Peace for the County interested in such Bill, in the presence of the Grand Jury, and a certificate be endorsed thereon by the Clerk of the Peace that the same was so read, or unless such Bill has been previously published for the space of one month in some of the Newspapers in this Province.

25. That no monies hereafter be appropriated for Bye Roads in any Parish of this Province, in any year, unless it shall appear by the certificate of the Clerk of the Peace for the County in which such Parish is situated, to be filed with the Clerk of this House, that a return has been made in the same year by the Commissioners of Roads of such Parish, that the Statute Labour has been performed by the inhabitants of the Parish for which any money is intended to be granted, or that the delinquents have been prosecuted according to Law.

Mr. John M. Wilmot, a Member from the County of Saint John, not being in attendance when other Members took the oaths and subscribed the declaration, having duly qualified before the Commissioners in the Committee Room of this House and subscribed the said declaration, took his seat accordingly.

Mr. Freeze, by leave, presented a Petition from Thomas Burnett, of Sussex in King's County, a licensed Schoolmaster, praying the Provincial allowance for teaching a School at that place for one year, ending 1st September, 1835; which he read.

*Ordered*, That the same be received, and referred to the Select Committee on School Petitions.

Mr. Beardsley, pursuant to leave, brought in a Bill to repeal an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several

several Religious Congregations in this Province," and to provide for the future solemnization of Matrimony; which was read a first time.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to incorporate sundry persons, by the name of *The President, Directors and Company of the Miramichi Bank*.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Brown, by leave, presented a Petition from Peter Smith, Miles S. Hannah, Thomas Sime, and others, depositors of money in the Charlotte County Savings Bank, praying that a grant may pass to reimburse them for losses sustained by the failure of the said institution; and further, that some Legislative enactment may pass to provide for the recovery of sums due from the Justices of the Peace for the said County, and the President and Directors of the Charlotte County Bank; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Brown, also by leave, presented a Petition from Patty L. Strachan, of Saint Andrews in the County of Charlotte, widow, a depositor in the Charlotte County Savings Bank, praying like reimbursement for loss by failure of the said institution; which he read.

*Ordered*, That the said Petition be also received, and referred to the Committee of Supply; and

On motion of Mr. L. A. Wilmot,

*Resolved*, That the said Petition of Peter Smith and others, and Patty L. Strachan, be referred to a Select Committee to investigate and report thereon.

*Ordered*, That Mr. L. A. Wilmot, Mr. Weldon and the Honorable Mr. Crane, be a Committee for that purpose.

Mr. M'Leod, by leave, presented a Petition from Bradbury Miles, of Kingston in King's County, an old soldier in the Revolutionary War, praying aid in his present indigent circumstances; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same under consideration.

Mr. Wyer, by leave, presented a Petition from Robert Robertson, of Grand Manan, in the County of Charlotte, an old soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Brown moved for leave to bring in a Bill, relating to the Charlotte County Savings Bank.

Leave granted.

The said Bill being brought in, was read a first time.

It being the time appointed by His Excellency the Lieutenant Governor to receive the House with their Address in answer to His Excellency's Speech, the House waited upon His Excellency, and presented the same, which is as follows;—

### **The humble Address of the House of Assembly.**

MAY IT PLEASE YOUR EXCELLENCY,

We, the Representatives of Her Majesty's loyal subjects, the People of New Brunswick, beg leave to express our thanks for Your Excellency's Speech at the opening of the present Session.

We can assure Your Excellency that the People of this Province have not failed to derive both consolation and satisfaction from that unequivocal manifestation of deep rooted attachment to its ancient Monarchical Institutions, which simultaneously burst forth in expressions of the most ardent loyalty from every part of the Mother Country after the lamented death of our late beloved Sovereign William the Fourth, of revered

and glorious memory, and upon the occasion of the accession of Her Majesty Queen Victoria to the Throne of Her illustrious ancestors.

The lamentable state to which a portion of its deluded and rebellious inhabitants have reduced the neighbouring Province of Lower Canada, excites within us that fraternal sympathy for our loyal fellow subjects in that Province, with the mere expression of which we shall not rest satisfied, but shall evince it by our active support of the Royal authority, and in aid of those who are now contending against the desperate efforts of a revolutionary faction for the preservation to themselves and their descendants, in common with us all, of the inestimable blessings of British connexion; and altho' succours from the Mother Country may be in some degree cut off at this season of the year by the severity of the climate, yet we hope that the prompt and effective manner in which the surrounding Colonies shall render assistance to the Government at this important crisis, will be a sufficient assurance that succours are always at hand, which no rigour of climate can exclude, while a man remains in these loyal Provinces able to take the field.

We shall apply ourselves with diligence in order to devise the mode and extent of the aid which we can best render to our loyal brethren of Lower Canada, and Your Excellency's past conduct in your Country's service affords us a most satisfactory guarantee, that all the energy by which Your Excellency has been heretofore characterized will be readily directed, if required, in that manner which will be best calculated to promote the interests of the Crown, and the security of the Country.

We were prepared to learn that the loyalty and gallantry for which the Militia of Upper Canada have been so memorably distinguished remain unchanged, and we sincerely hope that the prompt suppression by them, unaided by any portion of Her Majesty's troops, of the Revolutionary outbreak, which was attempted by some seditious and deluded persons in that Province, will have a most beneficial influence in future in preventing the repetition of such violent outrages on the peace and good order of society.

We thank Your Excellency for the assurance that the Treasurer's Accounts, and all other documents which may be necessary for our information, in regard to the finance of the Province, shall be laid before us, and we hope to merit Your Excellency's confidence by the liberal provision which we shall make for the Ordinary Services, and for all other objects of public utility which may require Legislative bounty.

Your Excellency may rest assured that such communications from Her Majesty's Government as you may be pleased to lay before us shall receive our best attention; and we would express our high gratification with the pleasing declaration of Your Excellency, that the same sentiments of lively solicitude for the prosperity of this Province which pervaded every act of His late Majesty, will be found to influence our present most gracious Sovereign.

Being returned—

The Honorable Mr. Speaker reported, that His Excellency had been pleased to make the following reply thereto:—

*“ Mr. Speaker and Gentlemen,*

*“ In the name of our gracious Queen, I thank you for this loyal and dutiful Address, which leaves me nothing to desire except the ability adequately to express my sense of the noble manner in which you have responded to the appeal, which I felt it my duty to make to you in behalf of our loyal fellow subjects in Lower Canada, and in support of the Royal authority in that Province.*

*On motion of Mr. Partelow,*

*Ordered,* That the House do on Saturday next, go into Committee of the whole, in consideration of supplies to be granted for the Public Service.

*On motion of the Honorable Mr. Johnston,*

*That the House proceed to the Order of the Day.*

*The Order of the Day being read, the House accordingly resolved itself into Committee of the whole, in consideration of His Excellency's Speech at the opening of the Session.*

*Mr. Woodward in the Chair of the Committee.*

*Mr. Speaker resumed the Chair.*

*The*



The Chairman reported, that the Committee having the same under their consideration, had passed one Resolution, and he having read the same, it was handed in at the Clerk's Table, and there again read, and is as follows :—

*Resolved*, as the opinion of this Committee, that that part of His Excellency's Speech which relates to the treasonable and rebellious proceedings of a portion of the inhabitants of Lower Canada, and the mode and extent of the aid to be provided by this Province in putting down the same, should be referred by the House to a Select Committee to report thereon by Bill or otherwise.

And the Chairman then further reported, that he was desired to ask for leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of the Honorable Mr. Johnston,

*Resolved*, That a Select Committee be appointed to carry into effect the objects contemplated by the Resolution which passed in Committee of the whole House, when in consideration of the Speech of His Excellency the Lieutenant Governor.

*Ordered*, That the Honorable Mr. Johnston, Mr. Wyer, Mr. L. A. Wilmot, Mr. M'Leod, Mr. Allen, the Honorable Mr. Crane and Mr. Brown, be a Committee for that purpose.

Mr. Partelow moved for leave to bring in a Bill, relating to Oaths of Office.

Leave granted.

Mr. Taylor, by leave, presented a Petition from Joshua Stone, of Douglas in the County of York, an old Soldier in the Revolutionary War, praying aid in his distressed circumstances ; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same into consideration.

On motion of Mr. Wilson,

*Resolved*, That this House will make no provision for reporting its Debates, unless published semi-weekly in Fredericton.

Upon the question for sustaining the same, the House divided—

YEAS, 14.

NAYS, 12.

And it was thereupon carried in the affirmative.

On motion of Mr. Woodward,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the principal officers of Her Majesty's Customs at Saint John, to have prepared, in order that they may be laid before the House, accounts of the Imports and Exports of that Port and its Outbays ; and all duties collected under the different Acts of the Imperial Parliament, and of the vessels on registry at said Port, for the year ending 1837 ; and further

*Resolved*, That His Excellency will be pleased to direct the same information to be prepared by the Collector and Controller of Her Majesty's Customs at the Port of Saint Andrews.

*Ordered*, That Mr. Woodward, Mr. Wyer and Mr. H. T. Partelow, be a Committee to wait upon His Excellency with the Address.

The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 3d January, 1838.

*Prayers.*

Read a second time,

A Bill relating to the Charlotte County Savings Bank : and

A Bill to repeal an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," and to provide for the future solemnization of Matrimony ; and

On motion of Mr. Beardsley,

*Ordered*, That the Bill for the future solemnization of Matrimony be printed, and fifty copies thereof furnished for the use of the Members of this House.

Mr.

Mr. Weldon, a Member for the County of Kent, applied for leave of absence for a few days, public business requiring his attendance in his County.

Which was granted.

Mr. Thomson, by leave, presented a Petition from Richard Jourdin, of Saint George in the County of Charlotte, an old soldier in the Revolutionary War, praying aid in his destitute condition; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same under consideration.

Mr. Wilson moved for leave to bring in a Bill, for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, pursuant to leave, brought in a Bill, relating to Oaths of Office; which was read a first time.

Mr. Wyer, by leave, presented a Petition from John Pendlebury, of Saint Andrews in the County of Charlotte, Mariner, formerly keeper of the Light House on Machias Seal Island, praying to be reimbursed amount expended by him in repairs and erecting buildings during the time he was employed as such keeper; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee on Light Houses.

Mr. Woodward, pursuant to leave, brought in a Bill to repeal the Laws relating to Wharfage and Cranage, and for establishing rates of Wharfage and Cranage on ships and other vessels, and on merchandize; which was read a first time; and

On motion of Mr. Partelow,

*Ordered*, That the said Bill be printed, and fifty copies thereof furnished for the use of the Members of this House.

Mr. L. A. Wilmot moved for leave to bring in a Bill, to make perpetual an Act, intitled "An Act for the support of the Civil Government of this Province."

Leave granted.

The Honorable Mr. Speaker laid before the House, several returns from Banks and other incorporated Companies for the past year, furnished under the terms of their Acts of Incorporation, viz. :—

Central Bank, for the periods ending March, June and December;

City Bank, for those ending in May and November;

Charlotte County Bank, for period ending April;

Saint Stephen's Bank, for periods ending in April and July;

New Brunswick Fire Insurance Company, up to 1st March;

Saint John Mechanics' Whale Fishing Company, up to 1st September, together with a list of Stockholders in the said Company.

[*See Appendix, No. 1.*]

The Honorable Mr. Speaker also laid before the House, several returns from the Clerks of the Peace for the several Counties, of the assessments in the year 1836, for the support of Poor in the respective Parishes in each County, presented in pursuance of an Address to His Excellency the Lieutenant Governor, on the 12th day of July last, viz. :—Saint John, York, Charlotte, Kings, Queens, Sunbury, Westmorland, Northumberland, Carleton, Kent and Gloucester.

[*See Appendix, No. 2.*]

Mr. Street moved for leave to bring in a Bill, in addition to an Act for the amendment of the Law and the better advancement of Justice.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Street, by leave, presented a Petition from William FitzWilliam Owen, Esquire, one of the Candidates at the last General Election for the County of Charlotte, together with

with John Wilson, William Kerr, Nehemiah Marks, Esquires, and 79 others, Freeholders of the said County, complaining of the undue return by the Sheriff of Robert Thomson, Esquire, as a Member to serve in General Assembly, as also setting forth that the said Robert Thomson had not a majority of legal votes at the close of the said Election, and praying a scrutiny of the votes polled, and that he may be heard by Counsel touching the several other matters alleged in the said Petition; which he read.

*Ordered*, That the said Petition be received, and lie on the Table

On motion of Mr. L. A. Wilmot,

*Ordered*, That the Petition of Thomas Odber Miles, Esquire, complaining of the undue election and return of Henry T. Partelow, Esquire, at the late General Election for the County of Sunbury, and praying a scrutiny of the votes polled at the said Election be taken into consideration by the House on Wednesday the 17th day of January instant, at the hour of 12 o'clock at noon of the same day.

Mr. Brown, by leave, presented a Petition from Peter M'Callum, Archibald M'Callum, George M'Kay, and 57 others, of Saint Patrick in the County of Charlotte, relative to a contemplated alteration in the Great Road leading from Saint John, and praying that no Bridge may be so constructed on the Digdeguash River as to impede the navigation of the said River; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Brown, by leave, presented a Petition from James P. Brown, John Wilson, and John M'Masters, Esquires, and 157 others, Magistrates, and principal Inhabitants of the Parishes of Saint Andrews, Saint David and Saint Patrick, in the County of Charlotte, praying that the line late explored, marked out, and measured by L. Bradshaw Rainsford, Esquire, and others, the Commissioners, may be opened and improved as the Great Road from Fredericton to Saint Andrews; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee on Roads.

Mr. Wyer, by leave, presented a Petition from Amos E. Frye, of Saint Andrews in the County of Charlotte, praying for a return of duties paid on Horses and other property imported from the United States, in November last, for the Saint John and Saint Andrew's Stage Coach Company; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, praying that His Excellency would direct certain returns to be furnished by the principal Officers of Her Majesty's Customs at Saint John and Saint Andrews, reported, that they had attended to that duty, and His Excellency was pleased to say he would direct the same to be laid before the House.

On motion of Mr. Street,

*Ordered*, That this House will on Saturday the 20th day of January instant, at 12 o'clock at noon of that day, go into consideration of the Petition of William Fitz-William Owen, John Wilson, William Kerr, Nehemiah Marks, Esquires, and 79 others, of the County of Charlotte, complaining of the undue election and return of Robert Thomson, Esquire, as a Member for that County.

The House adjourned until to-morrow morning at 10 o'clock.

### **Thursday, 4th January, 1838.**

#### *Prayers.*

Read a second time the following Bills:—

A Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish:

A Bill in addition to an Act for the amendment of the Law and the better advancement of Justice:

A Bill to repeal the Laws relating to Wharfage and Cranage, and for establishing rates of Wharfage and Cranage on ships and other vessels, and on merchandize: and

A Bill relating to Oaths of Office.

E

Mr.

Mr. Partelow, by leave, presented a Petition from Charles D. Everitt, Thomas C. Everitt, Noah Disbrow, Hugh Mackay, E. D. W. Ratchford, and 69 others, of the City of Saint John, praying that an Act may pass for the incorporation of *The Saint John Mills and Manufacturing Company*; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow moved for leave to bring in a Bill, to incorporate *The Saint John Mills and Manufacturing Company*.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Beardsley, by leave, presented a Petition from Cornelius Ackerman, of the County of Carleton: also

A Petition from John M'Laughlan, of the same place, old Soldiers in the Revolutionary War, praying aid in their indigent circumstances.

And having severally read the same,

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Brown, by leave, presented a Petition from James Murphy, and others, of the Parish of Saint Patrick in the County of Charlotte, praying the line marked out in that district by L. Bradshaw Rainsford, Esquire, and others, may be adopted as part of the Great Road from Fredericton to Saint Andrews; and further, that a grant may pass towards opening a Road to connect their Settlements with the said line; which he read.

*Ordered*, That the said Petition be received, and referred to the Road Committee.

Mr. Hanington moved for leave to bring in a Bill, to incorporate *The Petcodiac Wet Dock Company*.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Fisher, by leave, presented a Petition from James Flint, of Southampton in the County of York, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking the same under consideration.

Mr. Street moved for leave to bring in a Bill, in addition to and in amendment of an Act, intituled "An Act to protect the Gaspereau Fishery in the Harbour and River of Miramichi in the County of Northumberland."

Leave granted.

The said Bill being brought in, was read a first time.

A Message from His Excellency the Lieutenant Governor.

The Honorable F. P. Robinson, by command of His Excellency the Lieutenant Governor, laid before the House the following documents from the Crown Land Office, containing

A list of five years licences granted to cut Timber and Logs, as also other information prayed for in the Address to His Excellency of the 14th of July last; and several accounts of particulars of the fiscal transactions of the Crown Land Department, from 1st July to 31st December each, viz.:

Account of receipts for Land sold, instalments on Land previously sold, Land leased, and for contingencies from 30th June to 31st July;

A similar account of payments recorded for the periods between 31st July and 31st December;

Account of payments recorded on Timber and Lumber sold under one and five year Licences, and Timber and Lumber cut in excess from 31st July to 31st December;

Account current of the Casual Revenue from 30th June to 31st December; and Disbursement account current for the same period, together with vouchers.

[See these Accounts in Appendix, No. 3.]

Mr. Taylor, by leave, presented a Petition from Jarvis Ring, William B. Kinnear, the

the Reverend Frederick W. Miles, John T. Smith, W. D. Hartt, George Miles, and Aaron Hartt, the Committee of Management for the New Brunswick Baptist Education Society, praying that a grant may pass towards paying the debt incurred in the erection of a Seminary at Fredericton; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Taylor, also by leave, presented a Petition from Allan M'Kinney, of Kingsclear in the County of York, praying to be remunerated in part for damage sustained by the alteration in the Great Road between Phillis' Creek and Camber's Creek; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

The House adjourned until to-morrow morning at 10 o'clock.

### **Friday, 5th January, 1838.**

#### *Prayers.*

Read a second time the following Bills:—

A Bill in addition to and in amendment of an Act, intituled "An Act to protect the Gaspereau Fishery in the Harbour and River of Miramichi in the County of Northumberland:"

A Bill to incorporate *The Saint John Mills and Manufacturing Company*: and

A Bill to incorporate *The Petcodiac Wet Dock Company*.

Mr. Partelow, by leave, presented a Petition from Elizabeth Wilson, widow, a licensed Schoolmistress at Saint Martin's in the County of Saint John, praying the Provincial allowance for teaching a School in the year 1837, for the reasons therein stated; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Thomson, by leave, presented a Petition from the Rector, Church Wardens and Vestry of the Parish of Saint George in the County of Charlotte, praying aid towards the enlarging and repairing the School House at Magaguadavic, or in the erection of a new one; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston moved for leave to bring in a Bill, to authorise the Stockholders of any incorporated Bank in this Province to reduce the number of Directors.

Leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

#### **"New Brunswick.**

*"Message to the House of Assembly, 4th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor transmits to the House of Assembly, copy of a Despatch from the Right Honorable the Secretary of State for the Colonies, in answer to the Report of a Committee of that House, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List of this Province.

"J. H."

*"Downing Street, 21st September, 1837.*

"SIR,

"I have received your Despatch, No. 24, of the 29th July, enclosing a copy of the Report of a Committee of the House of Assembly of New Brunswick, on the subject of the Salaries enjoyed by various Officers, borne on the Civil List.

"In answer, I have to acquaint you, that I am strongly impressed with the justice of the general principle on which the House of Assembly proceed in recommending that the Salaries of all public Officers below the Lieutenant Governor should be assessed on a moderate and frugal scale. The  
observance

observance of simple and economical habits of domestic expenditure, everywhere desirable, is in no place more important than in new and rising Colonies ; nor is it easy to suppose a more injurious exception to that rule, than that which would enable the official servants of the Crown to live in a style far exceeding that of the most wealthy members of the Agricultural, Commercial and Professional classes.

"I further agree in the opinion, that the income of the Chief Justice should exceed that of every Public Officer, with the exception of the Lieutenant Governor, since there is no other whose duties are so important, or whose personal consideration it is so necessary to uphold.

"In acting on these principles, Her Majesty's Government are encountered by that respect for vested interests, which they consider it indispensable to observe. In the case of the Commissioner of Crown Lands and Surveyor General that difficulty is, however, overcome by the considerations mentioned in my Despatch of this date, No. 34. In the case of the Provincial Secretary, I perceive no escape from the difficulty ; I am, however, prepared on behalf of Her Majesty's Government, to acquiesce in the reduction of the Provincial Secretary's income, on the first vacancy, and am of opinion that it might be then properly fixed at the sum recommended by the House of Assembly.

"With regard to the income of the Chief Justice, I concur with you in thinking that the sum of £1200 currency per annum, proposed by the Assembly, is less than enough to sustain an officer of such rank and charged with duties of such extreme importance, and that, if the Chief Justice is, as the Assembly propose, to act in the character of President of the Council, an additional remuneration of £300 currency per annum would not exceed the reasonable remuneration for the united offices. This, however, is a question on which Her Majesty's Executive Government would most anxiously decline any controversial discussion, because, in fact, there is no reason to doubt, that the Representatives of the people must be perfectly alive to the necessity of providing for the proper dignity of the Chief Justice, and of rendering him independent not only in the tenure of his office, but in his domestic circumstances. There is no other public officer whose interests may be more safely confided to the Representatives of the people, because there is none whose functions are so intimately involved with the maintenance of every popular privilege and of all private rights. The just maintenance of so high an officer should not be the subject of any discussion, which would seem to imply, either on the part of the Executive Government or on that of the Assembly, the slightest shade of mistrust or jealousy. The question will be more likely to be brought to a satisfactory adjustment, by being disposed of in the spirit of unreserved mutual confidence.

"I have the honor, &c. &c. &c.

(Signed)

"GLENELG."

Major General Sir J. HARVEY, K. C. H.  
&c. &c. &c.

The Honorable Mr. Johnston, by leave, presented a Petition from Peters Yeamans, and others, praying that an Act may pass to prevent the obstructing of the Newcastle Stream in the Parish of Canning in Queen's County ; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Wyer moved for leave to bring in a Bill, to provide for the erection of Fences with gates across the Highways on Deer Island, in the Parish of West Isles in the County of Charlotte.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Fisher, by leave, presented a Petition from James M'Pherson, of Douglas in the County of York, praying the Provincial allowance for teaching a School at the Tay Creek Settlement for one year, ending in November 1836 ; which he read.

*Ordered*, That this Petition be received, and referred to the Select Committee on School Petitions.

On motion of Mr. Wilson,

The House went into Committee of the whole, on a Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Fisher, by leave, presented a Petition from Michael Hawkins, of Douglas in the County of York, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances ; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. F. P. Robinson, by command of His Excellency, delivered the following Messages:—

**"New Brunswick.**

*"Message to the House of Assembly, 4th January, 1838.*

"J. HARVEY, Lt. GOVERNOR.

"THE Lieutenant Governor communicates to the House of Assembly, for their information, sundry Despatches, numbered 30, 42, 43 and 44, received from the Right Honorable the Secretary of State for the Colonies.

"J. H."

*"Downing Street, 29th August, 1837.*

"SIR,

"I have had the honor to receive and lay before the Queen your Despatch, No. 20, of the 17th ultimo, reporting that you had given your assent to a Bill for transferring to the control and disposal of the General Assembly of New Brunswick, Her Majesty's Casual and Territorial Revenues in that Province in exchange for a Civil List.

"Her Majesty has commanded me to instruct you to acquaint the Legislative Council and Assembly, that it has been very gratifying to her to learn that the arrangements proposed by His late Majesty to the Legislature of New Brunswick, have been received and adopted by them in a spirit of so much cordiality and confidence. The Queen regards it as no ordinary felicity, that the first act of Her Majesty's Reign in reference to this important part of Her Dominions, should be that of giving Her assent to an Act suggested by Her Royal Predecessor for enlarging and securing the Constitutional privileges of the Representatives of the People of New Brunswick.

"I have the honor to be, Sir,

"Your most obedient humble servant,  
(Signed)

"GLENELG."

Major General Sir JOHN HARVEY, K. C. H.  
&c. &c. &c.

*"Downing Street, 30th September, 1837.*

"SIR,

"I have the honor to acknowledge the receipt of your Despatch, No. 21, of the 27th July, transmitting a copy of an Address which has been presented to you by the House of Assembly of New Brunswick, 'praying that you would communicate with me, and, on behalf of the House, request that I would allow my full length Portrait to be taken and sent to the Province to be placed in the Assembly Room.'

"I cannot but sensibly feel the honor which the House of Assembly have done me on this occasion. Deeply convinced of the importance of the duties committed to me, and anxious to discharge them with fidelity, at once to my Sovereign and to the true interests of the Province of New Brunswick, I felt it a privilege to co-operate with the House of Assembly in securing the Constitutional rights and promoting the prosperity of the people whom they represent. If any fresh motive were requisite to animate my zeal in the same cause, I shall find it in the generosity with which my services have been accepted and appreciated.

"Impressed with these sentiments, I feel it my duty at once to accede to the desire of the House of Assembly, happy in having my name associated with an era auspicious, as I trust, to New Brunswick, and thankful to those who have given me that gratification.

"I am scarcely aware, what is the most fitting and respectful mode in which this reply to your Despatch of the 27th July can be made known to the House. I can, therefore, only request that you will effect that object in the manner most consistent with the usual forms and observances, and most respectful to the House of Assembly.

"I have the honor to be, Sir,

"Your most obedient humble servant,  
(Signed)

"GLENELG."

Major General Sir JOHN HARVEY, K. C. H.  
&c. &c. &c.

*"Downing Street, 14th October, 1837.*

"SIR,

"I have received your Despatch, No. 40, of the 16th August, representing that the interests and satisfaction of the inhabitants of the present County of Gloucester in New Brunswick would be greatly promoted, if the Royal assent were given to the Bill which has been passed for dividing that County.

"I have to acquaint you in answer that that Bill will be specially confirmed, as soon as the necessary forms of office can be completed.

"I have the honor to be, Sir,

"Your most obedient humble servant,  
(Signed)

"GLENELG."

Sir J. HARVEY, &c. &c. &c.



*"Downing Street, 17th October, 1837.*

"SIR,

"I have received your Despatch, No. 28, of the 31st July, enclosing copies of three Acts passed by the Legislature of New Brunswick, connected with the transfer to the control of that body of the Casual and Territorial Revenue in exchange for a Civil List. They will be laid before the Queen in Council whenever the official transcripts shall arrive under the public seal of the Province. But I will not postpone till then the observations which are suggested and required by your Despatch. The two first Acts appear to be literal copies of those to which I referred in my Despatch of the 6th April last, No. 2.

Nothing therefore remains to be added on the subject of those Acts beyond the expression of the gratification with which Her Majesty's Government regard the conclusion of this protracted and important discussion. You have taken great pains to refute the opinion, that the prerogatives of the Crown have been infringed by the enactment of the Law authorizing you to appoint a Commission to investigate the accounts of the Crown Land Commissioner. I entirely subscribe to the opinion that this objection is unfounded. There can be no doubt on any side that you might yourself have constituted such a Commission. But it is equally clear that you could not have imparted to the Commissioners the powers conferred by this Act, which authorises them to summon and examine on oath all persons who can throw any light on the matters of their enquiry. Legislative aid was therefore indispensable to the completeness of the proceeding. It was still more evidently necessary, in order to render the result of it satisfactory, for the House of Assembly could hardly have been expected to accept, in substitution for an enquiry before one of their own Committees, examinations conducted by nominees of the Local Government, appointed without the acquiescence of the Local Legislature in the arrangement, and acting without the means of rendering their investigations complete. The Law leaves to the Lieutenant Governor the selection of the Commissioners, and is in accordance with the Parliamentary precedents to which you have referred, and as it appears to me with the principles of the Constitution.

"I have the honor to be, Sir,

"Your most obedient servant,  
(Signed)

"GLENELG."

Sir J. HARVEY, &c. &c. &c.

### **"New Brunswick.**

*Message to the House of Assembly, 5th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor communicates to the House of Assembly a copy of a Letter addressed by the Right Honorable Lord Glenelg to Sir Archibald Campbell, with a copy of a Bill which had been submitted to the Legislature of Upper Canada, for vesting property occupied for the Ordnance service in the principal Officers of that department; and the Lieutenant Governor recommends to the Assembly the adoption of a similar measure in this Province.

"J. H."

*"Downing Street, 11th November, 1836.*

"SIR,

"I have received a communication from the Master General and Board of Ordnance, stating that in many of the British Colonies certain lands have been set apart for the erection of Forts and for other Military purposes, which lands have in many cases been purchased by that Department or granted to it by the Crown.

"It appears, however, that the manner in which these lands have been vested in the Officers of Ordnance has not been, generally speaking, sufficiently formal and comprehensive to answer all the purposes required by the Board.

"For the purpose of more clearly defining the nature and extent of the powers which the Board are desirous of obtaining, they have transmitted to me the draft of a Bill which they have submitted to the consideration of the Provincial Legislature of Upper Canada, and which contains all the provisions necessary to meet the desired object.

"They have also referred me to the Acts 1 & 3 Geo. 4, Cap. 69, and 2 Will. 4, Cap. 28, as conferring on the Board similar powers over the Military buildings and lands in this Country.

"With the view of facilitating the object of the Master General and Board, I transmit to you copies of these three documents, and have to desire that you will lay them before the Colonial Legislature, with the recommendation that they should pass such Bill *mutatis mutandis*, for the purpose of conferring similar powers on the principal Officers of the Ordnance over the Military lands and buildings in the Colony under your Government.

"I have the honor to be, Sir,

"Your most obedient humble servant,  
(Signed)

"GLENELG."

Major General Sir A. CAMPBELL, Bart.

And the Honorable Mr. Robinson, also by command of His Excellency, laid before the House various surveys and other documents connected with the contemplated line of

of Rail Road between Quebec and Saint Andrews, together with an account the of expenses incurred.

[*See Report of Survey, &c. Appendix, No. 3.*]

On motion of Mr. Partelow,

*Ordered*, That the House do on Monday next, go into Committee of the whole, in consideration of the several Messages from His Excellency.

Mr. Jordan, pursuant to leave, brought in a Bill to erect part of the Parish of Portland, into a separate and distinct Town or Parish ; which was read a first time.

Mr. Street, by leave, presented a Petition from Michael Samuels, of Chatham in the County of Northumberland, Merchant, praying a return of duty twice paid on Wine imported in the year 1828 ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, from the Committee appointed to examine what Laws have expired or are near expiring, reported, that they had attended thereto, and submitted their Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows :—

“ The Committee appointed to examine what Laws have expired or are near expiring have attended to that duty, and beg leave to submit the following Report :

“ 4 G. 4, C. 23, page 310. An Act in further amendment of the Laws for regulating the Fisheries in the County of Northumberland.—Continued to 10th May, 1838, by 6 W. 4, C. 5. page 812. Also the two previous Acts, of which this is an amendment, expire at the same time.

“ 3 W. 4, C. 16, page 607. An Act to authorise the Justices of the Peace in the County of Northumberland to make rules and regulations respecting the Bass Fishery in that County.—Continued to 1st April, 1838, by 5 W. 4, C. 24, page 739. Also an Act in addition to and in continuation of the Acts relating to the Bass Fishery in the County of Northumberland, expires at the same time.

“ 9 G. 4, C. 4. An Act relative to the Streets and Squares in the City of Saint John, expires on the 5th April, 1838.

“ Respectfully submitted.

“ GEORGE S. HILL,  
“ J. A. STREET.

“ *Committee Room, January 5, 1838.*”

*Ordered*, That the Report be accepted.

On motion of Mr. Brown,

*Ordered*, That Mr. Woodward be added to the Committee, appointed on the 2d instant, to investigate and report upon the Petitions of Peter Smith and others, and Patty L. Strachan, depositors in the Charlotte County Savings Bank, to be reimbursed for losses sustained by failure of the institution, in the place of Mr. Weldon, who is absent on leave.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill relating to the Charlotte County Savings Bank.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and he was directed to ask for leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of the Honorable Mr. Crane.

*Resolved*, unanimously, That the thanks of this Province are due, and should be presented to Sir Francis Bond Head, and the gallant Militia of Upper Canada, for their able, prompt and energetic suppression of the insurrection which lately took place in the neighbourhood of Toronto.

*Resolved*, unanimously, That the conduct of our fellow subjects in Upper Canada, on this memorable occasion, so fully in accordance with their former high spirit and character, affords a glorious example to the Sister Colonies, and cannot fail to quicken the

the zeal and animate the exertions of every loyal heart in these Colonies, in support and defence of the liberties they enjoy under British Laws and Institutions.

*Resolved*, unanimously, That our fellow subjects in Upper Canada may rest assured of the lively sympathy of the inhabitants of this Province in their loyalty and patriotic ardor, and of our most zealous co-operation in maintaining the Royal authority, and the inestimable advantages of our connexion with the Mother Country.

On like motion of the Honorable Mr. Crane; further

*Resolved*, unanimously, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit these Resolutions to His Excellency Sir Francis Bond Head, Lieutenant Governor of Upper Canada; and likewise

*Resolved*, That the Legislative Council be requested to join in the said Resolutions.

*Ordered*, That the Honorable Mr. Crane be a Committee to acquaint the Legislative Council with the foregoing Resolutions, and request them to join therein.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 6th January, 1838.

#### Prayers.

Read a second time,

A Bill to provide for the erection of Fences with gates across the Highways on Deer Island in the Parish of West Isles, in the County of Charlotte: and

A Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

Mr. Partelow, by leave, presented a Petition from Alexander Lockhart, praying that a grant may pass in aid of individual subscription, towards the support of a Courier between Saint John, Loch Lomond and Quaco, in the Parish of Saint Martins; which he read

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, from the Committee to whom was referred that part of His Excellency's Speech which relates to the extent of aid to be provided by this Province in putting down the treasonable and rebellious proceedings in Lower Canada, reported, that they had taken this important subject under their consideration, and prepared a Bill, under the title of "A Bill in addition to and in amendment of an Act, intituled 'An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same;'" and which he was directed to submit to the House.

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee, being then handed in at the Clerk's Table, was read a first time.

On motion of Mr. Partelow,

The House proceeded to the Order of the Day to go into Committee of the whole, in consideration of Supplies to be granted for the Public Service.

The Order being read, the House accordingly resolved itself into said Committee.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, the Committee had passed a number of Resolutions, which he read, and they being handed in at the Clerk's Table, were there again read, and are as follow:—

*Resolved*, That there be granted to the Chaplain of the Council in General Assembly, the sum of £25.

To the Chaplain of the House of Assembly, the sum of £25.

To the Sergeant at Arms attending the Council in General Assembly, the sum of 20s. *per diem*, during the present Session.

To the Sergeant at Arms attending the House of Assembly, the sum of 20s. *per diem*, during the present Session.

To

To the Clerk of the Legislative Council in General Assembly, the sum of £200 for his services during the present Session.

To the Clerk of the House of Assembly, the sum of £200 for his services during the present Session.

To the Clerk Assistant of the Legislative Council, the sum of £100 for his services during the present Session.

To the Clerk Assistant of the House of Assembly, the sum of £100 for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly, the sum of 12s. 6d. *per diem*, each, during the present Session.

To the Messengers attending the Legislative Council and Assembly, the sum of 10s. *per diem*, each, during the present Session.

To Beverley Robinson, Esquire, Province Treasurer, the sum of £600 for his services for the year 1837.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £7000 for the encouragement of Parish Schools, agreeably to a Law of this Province.

To the Commissioners of Light Houses in the Bay of Fundy, the following sums to pay for services in the year 1838:—

For the Keeper of the Light House on Gannet Rock and his Assistant, the sum of £165;

For the Keeper on Point Le Proe, £100;

For ditto on Thrumb Cap, Quaco, £100.

The sum of £600 to defray the contingent expenses of the Gannet Rock, Point Le Proe and Quaco Light Houses for 1838.

To the same Commissioners the following sums, to pay for services in the year 1838:

For the Keeper on Partridge Island, £100;

For the Keeper of the Beacon Light, £100.

The sum of £250 for contingent expenses of Light Houses at the entrance of the Harbour of Saint John for 1838.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, communicated the following:—

#### “NEW BRUNSWICK.

*“Legislative Council Chamber, 5th January, 1838.*

*“Resolved*, unanimously, That this House doth most heartily concur in the Resolutions of the House of Assembly on the subject of the insurrection in Upper Canada.

*“Resolved*, That the Honorable Messrs. Botsford and Lee be appointed a Committee to join such Committee as may be appointed by the Assembly, to wait upon His Excellency the Lieutenant Governor with the Address, praying that His Excellency will be pleased to transmit the Resolutions to His Excellency Sir Francis Bond Head Lieutenant Governor of Upper Canada.

“WM. TYNG PETERS, *Clerk*.”

On motion of the Honorable Mr. Crane,

*Resolved*, That a Committee be appointed by this House to join the Committee of the Legislative Council to wait upon His Excellency the Lieutenant Governor with the said Resolutions and Address.

*Ordered*, That the Honorable Mr. Crane, Mr. Partelow, the Honorable Mr. Johnston and Mr. Wyer, be the Committee; and further

*Ordered*, That the Honorable Mr. Crane communicate the same to the Council.

The Honorable Mr. Speaker laid before the House a statement shewing the affairs of the Bank of New Brunswick on the 1st day of January instant, as required by their Act of Incorporation.

[*See Appendix, No. 1.*]

Mr. Partelow, by leave, presented a Petition from Isaac and John G. Woodward, of the

the City of Saint John, Merchants, praying the drawback may be granted them on two puncheons of Rum exported to Nova Scotia in the year 1836 ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

The House adjourned until Monday morning next at 10 o'clock.

### Monday, 8th January, 1838.

#### *Prayers.*

The Honorable Mr. Speaker laid before the House various documents received from the Speaker of the House of Assembly of Newfoundland, accompanied by the following letter :—

*“ Saint John’s, Newfoundland, 22d November, 1837.*

*“ SIR,*

*“ Agreeably to the orders of the Commons House of Assembly, I take the liberty of transmitting to you a copy of Lord Glenelg’s Despatch to His Excellency Governor Prescott as regards the appointment of the Sergeant at Arms and Clerk by the House.*

*“ The reply of the House to Governor Prescott.*

*“ I shall feel obliged by your favouring me at your first convenient opportunity with a statement of the orders of your House of Assembly on these appointments.*

*“ I have the honor to be, with great esteem,*

*“ Your obedient humble servant,*

*“ WILL. CARSON, Speaker.”*

The Honorable the Speaker of the  
House of Assembly of New Brunswick.

Mr. Taylor, by leave, presented a Petition from Joshua Knight, Edward Seely, and 39 others, Freeholders of the County of Charlotte, praying that the Election for that County may be declared null and void, for the reasons stated in the said Petition ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. F. P. Robinson, by command of His Excellency, laid before the House, report of the Board of Audit, with explanations from the Commissioner of Crown Lands on an account of disbursements in the Crown Land department, for the period between 1st January and 1st June 1837, accompanied by the various vouchers.

[*See Appendix, No. 4.*]

Mr. Street, by leave, presented a Petition from Richard Coltard, of Miramichi in the County of Northumberland, praying to be remunerated for loss sustained in performance of contracts entered into by him on the Great Road between Fredericton and Newcastle ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Fisher, by leave, presented a Petition from Cyrus Perkins, of Saint Mary’s in the County of York, praying the Provincial allowance for teaching a School on the Keswick Settlement, for one year, ending in June 1834 ; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

On motion of Mr. Fisher,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to lay before this House copies of the different forms of licence granted to the Ministers and Clergymen of the various denominations of Christians authorised to solemnize Marriage in this Province ; also copies of the Marriage Licence issued to parties, and a copy of any rules or regulations required to be observed by Ministers and Clergymen applying for a licence to celebrate Marriage.

*Ordered*, That Mr. Fisher, Mr. Stewart and Mr. J. M. Wilmot, be a Committee to wait upon His Excellency with the Address.

Mr.

Mr. M'Leod, by leave, presented a Petition from Charles Finnis, a licensed teacher, praying the Provincial allowance for a School taught by him in the Parish of Norton in King's County, for the year ending in July 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Thomson, by leave, presented a Petition from Robert Ash, of Saint George in the County of Charlotte, praying aid to assist him in the erection of an Oat Mill in the upper part of that Parish; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee on the Agricultural interests of the Province.

Mr. Gilbert, by leave, presented a Petition from John Elliott, praying like aid towards the erection of an Oat Mill at Salmon River in Queen's County; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Taylor, by leave, presented a Petition from John Manzer, of Saint Mary's in the County of York; also

A Petition from Seth Griswold, of Queensbury in the said County, old Soldiers in the Revolutionary War, praying aid in their distressed circumstances.

The said Petitions being severally read,

*Ordered*, That they be received, and referred to the Committee for taking such Petitions under consideration.

Read a second time,

A Bill in addition to and in amendment of an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provisions for the same."

Mr. Partelow moved for leave to bring in a Bill, to provide for an annuity to old Soldiers within this Province engaged in the American Revolutionary War.

Leave granted.

Mr. Beardsley moved for leave to bring in a Bill, to amend an Act, intituled "An Act for regulating Juries and declaring the qualifications of Jurors."

Leave granted.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill in addition to an Act for the amendment of the Law and the better advancement of Justice.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill to them referred, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill to incorporate *The Saint John Mills and Manufacturing Company*.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. F. P. Robinson, by command of His Excellency, delivered the following Message:—

#### **"New Brunswick.**

*"Message to the House of Assembly, 8th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor lays before the House of Assembly a copy of a Despatch from the Right Honorable the Secretary of State, announcing the demise of His late Majesty

Majesty King William the Fourth, and the accession of Her present most gracious Majesty Queen Victoria.

"J. H."

"Downing Street, 21st June, 1837.

"SIR,

"It is with the greatest regret that I have to communicate to you the melancholy intelligence of the demise of His late most gracious Majesty King William the Fourth.

"His Majesty expired at His Castle at Windsor on the morning of the 20th instant, at 12 minutes past 2 o'clock to the great affliction of the Royal Family, and of all classes of His Majesty's subjects.

"Her present Majesty was this day proclaimed Queen Victoria, with all the solemnities used on the like occasions.

"Her Majesty's most gracious declaration contained in the accompanying Gazette, will best inform you of her determination, under the guidance of Divine Providence, to maintain the reformed Religion as by law established, securing at the same time to all the full enjoyment of religious liberty, and to protect the rights, and promote to the utmost of her power the happiness and welfare of all classes of her subjects.

"The form to be observed in proclaiming within your Government Her most sacred Majesty Queen Victoria, is stated for your guidance in the accompanying communication from the Lords of Her Majesty's most Honorable Privy Council, which also transmits, in order that the same may be made public within your Government, Her Majesty's Proclamation requiring all persons being in office of authority or Government at the decease of the late King to proceed in the execution of their respective offices.

"I enclose to you copies of the Extraordinary Gazettes which have been published on this occasion.

"I have the honor to be, &c. &c. &c.

(Signed)

"GLENELG."

Major General Sir JOHN HARVEY, K. C. H.

Mr. Woodward moved for leave to bring in a Bill, for the incorporation of the Saint John Chamber of Commerce.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Taylor,

*Ordered*, That the Petition of Joshua Knight, Edward Seely, and 39 others, of the County of Charlotte, complaining of an undue Election for the said County, and praying that the same be declared null and void, be taken into consideration by the House on Tuesday the 23d day of January instant, at the hour of twelve of the clock at noon of the same day.

Mr. Beardsley moved for leave to bring in a Bill, to repeal an Act, intituled "An Act to authorise the Justices of the Peace for the County of Carleton to assess the said County for the erection of a lock-up House at Tobique in the said County."

Leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill relating to Oaths of Office.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. Wyer moved for leave to bring in a Bill, to erect a part of the Parish of Saint George in the County of Charlotte, into a separate and distinct Town or Parish.

Leave granted.

On motion of Mr. Hanington,

The House went into Committee of the whole, on a Bill to incorporate *The Petcodiuc Wet Dock Company*.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill to them referred, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill to provide for the erection of Fences with gates across the Highways on Deer Island, in the Parish of West Isles in the County of Charlotte.

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Brown,

The House went into Committee of the whole, in further consideration of a Bill relating to the Charlotte County Savings Bank.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill in addition to and in amendment of an Act, intituled "An Act to protect the Gaspereau Fishery in the Harbour and River of Miramichi in the County of Northumberland."

Mr. Beardsley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill under consideration, in the Committee it was

"*Resolved*, That the further consideration of the Bill be postponed until the next Session of the General Assembly."

And upon the question the Committee divided, and it was carried in the affirmative.

*Ordered*, That the Report be accepted.

The Honorable Mr. Johnston, pursuant to leave, brought in a Bill to authorize the Stockholders of any incorporated Bank in this Province to reduce the number of Directors ; which was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 9th January, 1838.

### Prayers.

Read a second time,

A Bill to authorise the Stockholders of any incorporated Bank in this Province to reduce the number of Directors : and

A Bill for the incorporation of the Saint John Chamber of Commerce.

Mr. Wyer, pursuant to leave, brought in a Bill to erect a part of the Parish of Saint George in the County of Charlotte, into a separate and distinct Town or Parish ; which was read a first time.

Mr. Brown moved for leave to bring in a Bill, to provide for the assessment of County and Parish Rates

Leave granted.

Mr. Wyer moved for leave to bring in a Bill, to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County Debt.

Leave granted.

The said Bill being brought in, was read a first time.

Read as engrossed,

The Resolutions of Appropriation made and passed the 6th instant.

*Ordered*, That Mr. Partelow take the said Resolutions to the Council, and desire their concurrence thereto.



Read a third time as engrossed,  
A Bill relating to Oaths of Office.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Partelow take this Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to an Act for the amendment of the Law and the better advancement of Justice.

*Resolved*, That this Bill do pass; and

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Mr. Taylor, by leave, presented a Petition from James Gilchrist, a licensed Teacher, praying the Provincial allowance for teaching a free School for the People of Color, at Lake George Settlement in the County of York, for six months, during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. J. M. Wilmot moved for leave to bring in a Bill, more effectually to regulate the Ferry and public Landing in front of Indian Town, in the Parish of Portland and County of Saint John.

Leave granted

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and they being handed in at the Clerk's Table, were there again read, and are as follow:—

*Resolved*, That there be granted to the Commissioners of Machias, Seal Island, Campobello and Saint Andrews Harbour Light Houses, the following sums to pay for services for the year 1838:—

For the Keeper on Campobello, £120;

For the Keeper on Machias Seal Island, £130;

For the Harbour Light, Saint Andrews, £30.

The sum of £550 to defray the contingent expenses of the said Light Houses for 1838.

To the Adjutant General of the Militia Forces, the sum of £75 for his services for the year 1838.

To the Quarter Master General of the Militia Forces, the sum of £50 for taking care of the Arms for the present year.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £100, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province; provided always, that no greater sum than £5 be paid for the apprehension of any one Deserter.

To the Master in Chancery, appointed to carry Messages from the Legislative Council to the House of Assembly, the sum of £40.

To David W. Jack, Tide Surveyor at Saint Andrews, the sum of £150 for his services from the 1st April, 1837, to the same period, 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £91 5s. to enable the Province Treasurer to pay John Abrams for his services as Tide Waiter at Saint John for the year 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £75 for the services of a Tide Surveyor at Miramichi for the year 1838.

To B. C. Chaloner, Tide Surveyor at Saint John, for his services from the 1st May, 1837, to the same period, 1838, the sum of £50.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of  
£30

£30 in aid of individual subscription, to pay a Courier passing between Bathurst and Shippegan in the County of Gloucester.

To the Justices of the Peace for the County of Queen's, the sum of £30, to enable them to pay a Courier passing between Gagetown and the Nerepis, for the year 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £30 in aid of individual subscription, to enable the Justices of the Peace for the City and County of Saint John to pay a Courier between Saint Martin's and Saint John.

To Beverley Robinson, Province Treasurer, the sum of £150, being for the services of a Tide Waiter or Messenger to the Treasury for the year 1838.

To the President and Directors of the Fire Insurance Company at Saint John, the sum of £600, being one year's interest on the Provincial loan, ending 1st March, 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £500 to defray any expenses that may be incurred in the protection of the Provincial Revenue for 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £40, to enable the Justices of the General Sessions in the County of Westmorland to pay a Courier passing between Hopewell and the Great Road of Communication leading through said County.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £50, to defray the expenses of a Missionary to the Milicete Tribe of Indians for the year 1838.

To William Watts, the sum of £10 for airing and taking care of the Province Hall.

To the Commissioners of Light Houses in the Bay of Fundy, the sum of £200, to be applied by them towards the support of Cape Sable Seal Island Light House; and also the sum of £100 towards the support of the Light House on Brier Island in the Province of Nova Scotia, for the year 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £50 in aid of individual subscription, to pay a Courier passing between Miramichi and Pokenouche in the Counties of Northumberland and Gloucester.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £300 to encourage the destruction of Bears, agreeably to a Law of this Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £20 for a Tide Waiter at Bathurst, and the further sum of £20 for a Tide Waiter at Restigouche in the County of Gloucester, for the year 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the following sums for Grammar Schools in the year 1838:—

For Westmorland,.....	£100.
Saint John,.....	150.
King's County,.....	100.
Kent,.....	100.
Queen's County,.....	100.
Charlotte,.....	100.
Sunbury,.....	100.
Northumberland,.....	100.
Gloucester,.....	100.
Carleton,.....	100.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

**“New Brunswick.**

*“Message to the House of Assembly, 9th January, 1838.*

“J. HARVEY, LT. GOVERNOR.

“THE Lieutenant Governor acquaints the House of Assembly, that immediately after the passing of the Civil List Bill, it appeared to him that upon the Executive Government had devolved the duty of giving effect to the provisions of that Bill in the spirit  
in

in which it had been enacted, and with reference to all these objects and considerations which had led to it, he accordingly did not hesitate provisionally to adopt upon his own responsibility, such measures as appeared to him to be prescribed by a due regard to the true interests of the Province.

" Among these were the discontinuance of the receipt of the public monies by the Commissioner of Crown Lands, the retention of the office of Receiver General as a necessary consequence of that discontinuance, and the immediate establishment of a Board of Audit for the Accounts of every branch of the public expenditure.

" To the principle of these arrangements, as reported by him to the Right Honorable the Secretary of State for the Colonies, the Lieutenant Governor has received the expression of His Lordship's full approbation in a Despatch of which an extract (No. 1) is herewith transmitted, and for the more full explanation of his own views upon the subject, he also transmits an extract of his Despatch (No. 2) to which Lord Glenelg's is an answer.

" The Lieutenant Governor submits the whole to the consideration of both Houses, in the confidence that they will be ready to co-operate with him by making such Legislative provisions as may appear to be necessary for the due protection of the great public interests involved in these arrangements.

" J. H."

### No. 1.

*Extract of Despatch, No. 34, dated*

*" Downing Street, 21st September, 1837.*

" I subscribe to the reasoning which has induced you to continue the office of Receiver General, and to enlarge the functions of that officer.

" I have further to express my concurrence in the establishment of the Board of Audit, in your selection of the Members of that Board, and in the rate at which you propose to remunerate their services. In my conference and correspondence with Messrs. Crane and Wilmot, in the last year, I had myself suggested a measure of the same kind, as a most important protection to the interests of the public Revenue.

Although I thus approve and acquiesce in your arrangements, yet my concurrence must be understood as qualified by the following remarks. The Civil List Bill has placed at the disposal of Her Majesty's Government for the public service of the Province, the funds from which this increased establishment is to be maintained; nor am I disposed to shrink from the responsibility of executing that trust to the best of my power. But neither do I think it convenient or right, that this permanent addition should be made to the public expenditure, and that vested interests should thus be created in the various offices of the Receiver General's and the Auditor's departments, until the Legislature of the Province, and especially the Representatives of the people, shall have enjoyed a full opportunity of making any representation against the measure, which they may think it their duty to urge. The interests and the duties of Her Majesty's Government on every question of this kind, are so absolutely identical with those of the two Houses of Local Legislature, that it is impossible not to desire their advice and to seek their concurrence in adopting plans, which have no object in view but the frugal and wise administration of the Provincial Revenue. You will therefore place the two Houses in full possession of the whole of your proceedings, and of the motives by which they have been dictated, and you will cause it to be understood that until the close of the next Session of the Legislature, the appointments which have been made, must be considered as provisional only.

" It is possible that it will be necessary to apply to the Legislature to confirm and enlarge the powers of the Board of Audit. This consideration confirms the propriety of the preceding instructions."

### No. 2.

*Extract of Despatch, No. 34, from Major General Sir John Harvey, K. C. H., to Lord Glenelg, dated*

*" Fredericton, August 4, 1837.*

" Upon the subject of the proposed Board of Audit, I have the honor to submit the following as the scale of Salaries which upon discussion with various experienced and disinterested individuals, appear to me proper to be allowed to a Board which will have extensive duties and corresponding powers of strict examination and scrutiny into all the public expenditure of the Colony confided to it, and which will constitute the real check as well upon the offices of Commissioner of Crown Lands as upon the Receiver General and Provincial Treasurer, viz. :—

Auditor,.....	£500	currency, per annum.	
Assistant,.....	300	ditto	ditto.
Clerk,.....	100	ditto	ditto.
Office rent, stationery and contingent expenses,	100	ditto	ditto.
	<hr/>		
	£1000		

Expense of the present office of Audit, £400.

Difference something less than £600 currency.

"This

"This extra expense will be met as nearly as possible by the diminution which has taken place in my own salary, and I shall rejoice that that reduction can be applied to so useful a purpose."

"As I am strongly urged not to delay giving effect to these arrangements, I shall lose no time in doing so, more especially as the Board of Audit will have to prepare a full Report, after a minute investigation of all public accounts from the commencement of the present year, to be laid before the Legislature at the commencement of the next Session."

Mr. Street, by leave, presented a Petition from James Miller, of Chatham in the County of Northumberland, a licensed teacher, setting forth that he had taught a School at that place for a period of upwards of four years, and praying that such sum may be granted as will place him upon the same footing as teachers of Parish Schools; which he read.

*Ordered*, That this Petition be received, and referred to the Select Committee on School Petitions.

The Honorable Mr. Johnston, by leave, presented a Petition from William M'Culloch, praying remuneration for loss sustained in the performance of a contract in building three Bridges in Queen's County; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Connell, by leave, presented a Petition from James Flint, John Dunlap, and Charles Hazelton, of Queensbury in the County of York, old Soldiers in the Revolutionary War, praying aid in their indigent circumstances; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. L. A. Wilmot, by leave, presented a Petition from Peter Allen, of Douglas in the County of York, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Taylor, by leave, presented a Petition from Mary Kelly, of Queensbury in the County of York, widow of the late John Kelly, an old Soldier in the Revolutionary War, praying aid in her destitute condition; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Wyer, by leave, presented a Petition from John M'Coll, of Saint Andrews in the County of Charlotte, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, on the subject of Marriage licences and other papers connected therewith, reported, that they had attended to that duty, and that His Excellency was pleased to say he would comply with the prayer of the said Address immediately.

Mr. Stewart, by leave, presented a Petition from the Reverend Alexander MacLean, and others, Ministers and Elders of the Church in connexion with the Church of Scotland, praying an alteration in the College Charter; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Brown then moved the following:—

*Ordered*, That the said Petition of the Reverend Alexander MacLean, and others, be entered at length upon the Journals of this House.

To which Mr. Partelow moved as an amendment, to strike out after the word "*Ordered*," and substitute,

"That one hundred and fifty copies thereof be printed."

The question being taken upon the amendment, the House divided—

YEAS, 10.

NAYS, 12.

And it was decided in the negative.

The question was then put upon the original motion, and the House again divided, when it was carried in the affirmative.

And the Petition accordingly set out as follows:—

“To His Excellency Major General Sir JOHN HARVEY, K. C. H. &c. &c. Lieutenant Governor and Commander in Chief:

“The Honorable Her Majesty’s Legislative Council: and

“The Honorable the House of Assembly of the Province of New Brunswick, in General Assembly convened.

“The Petition of the Ministers and Elders of the Church in this Province, in connexion with the Church of Scotland, in Synod assembled.

“MOST RESPECTFULLY SHEWETH,

“THAT by the Act of Union between the Kingdoms of England and Scotland, the reigning Sovereign is bound to maintain unimpaired all the rights and privileges of the Church of Scotland equally with those of the Church of England.

“That in this Province the two Churches are on an equality in point of Ecclesiastical Status; while a very large proportion of its inhabitants are Presbyterian in principle.

“That by the present Constitution of King’s College, Fredericton, Clergymen of the Church of Scotland are excluded from the Chair of Theology, as well as prevented from obtaining Degrees in Divinity.

“That the Presbyterian youth of this Province, desirous of obtaining a Theological education with a view to the Ministry, are compelled, at great expense and hazard, to repair to Scotland for that purpose.

“Your Petitioners, therefore, respectfully pray that Your Excellency, the Honorable the Legislative Council, and the Honorable the House of Assembly, do recommend to Her Most Gracious Majesty to order such alterations in the Charter of King’s College, Fredericton, as shall remove the restrictive clauses of the said Charter.

“And as in duty bound will ever pray.

“ALEX. MACLEAN,

Minister of the Scotch Church in Saint Andrews, and Moderator of the Synod of New Brunswick.

R. WILSON,

Minister of Saint Andrews Church, Saint John, and Synod Clerk.

JAMES SOUTER, A. M.,

Minister of Saint James’ Church, Newcastle, Miramichi.

JAMES STEVEN,

Minister of Campbelltown and Dalhousie.

JOHN BIRKMYRE, A. M.,

Minister of Saint Paul’s Church, Fredericton.

JAMES HANNAY,

Minister of Saint Andrew’s Church, Richibucto.

ROBERT ARCHIBALD,

Minister of Saint Andrew’s Church, Chatham, Miramichi.

SIMON FRASER, A. M.,

Of Alnwick and Glenelg.

JAMES GILMOUR,

SAMUEL GIRVAN,

ROBERT ROBERTSON,

JOHN CARRUTHERS,

RODERICK M’LEOD,

} ELDERS.

“Chatham, Miramichi, 19th August, 1837.”

Mr. Wyer moved for leave to bring in a Bill, further to amend an Act, intituled “An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts.”

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o’clock.

### Wednesday, 10th January, 1838.

Prayers.

Read a second time the following Bills:—

A Bill to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County Debt:

A Bill to erect a part of the Parish of Saint George in the County of Charlotte, into a separate and distinct Town or Parish: and

A Bill further to amend an Act, intituled “An Act to authorise the Grand Jurors in the several Counties within this Province, to inspect the Public Accounts.” Mr.

Mr. Jordan, by leave, presented a Petition from William Brenan, of Portland in the County of Saint John, a licensed teacher, praying the Provincial allowance for teaching a School at that place, for the year 1835; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Jordan, also by leave, presented a Petition from Esther C. Howland, of Portland in the County of Saint John, praying like allowance for teaching a School for a period of six months, ending in December last; which he read.

*Ordered*, That the said Petition be likewise received, and referred to the same Committee.

Mr. Connell, by leave, presented a Petition from James Sharp and George Clowes, Trustees of Schools for Northampton in the County of Carleton, praying the allowance be granted to enable them to pay John C. Chipman, for teaching a School at that place for a period of three months ending in December last; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. L. A. Wilmot, by leave, presented a Petition from James M'Kinnon, John Ferguson and 31 others, natives of Scotland, who emigrated to this Province in the year 1836, under inducements held out to them by the New Brunswick Land Company, setting forth various grievances and wrongs suffered from the said Company, by which they are reduced to great want and distress, and praying relief in the premises; which he read.

*Ordered*, That the said Petition be received, and lie on the table; and

On motion of Mr. L. A. Wilmot,

*Resolved*, That the said Petition be referred to a Select Committee to investigate and report thereon.

*Ordered*, That Mr. L. A. Wilmot, Mr. Crane and Mr. Brown, do compose the said Committee.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill for the incorporation of the Saint John Chamber of Commerce.

Mr. Thomson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them under their consideration, made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to authorise the Stockholders of any incorporated Bank in this Province to reduce the number of Directors.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same, under the title of "A Bill to lessen the number of Directors of the Bank of New Brunswick."

*Ordered*, That the Report be accepted, and the Bill engrossed under the amended title.

Mr. Partelow informed the House, that the Honorable Mr. Speaker had placed into his hands a communication from William Badgley, Esquire, Secretary to the *Montreal Constitutional Association*, dated the 20th of December last, with an Address from that body to the Legislature of this Province, requesting that it may be presented to the House, and that in compliance with that requisition he would now, with the permission of the House, present the said Address. He (Mr. Partelow) having then read the same;

*Ordered*, That it lie on the Table; and

On motion of Mr. Partelow,

*Resolved*, unanimously, That the said Address be set out at length upon the Journals of this House, and it is as follows:—

"To

*"To the Knights, Citizens and Burgesses of the Province of New Brunswick, in Provincial Parliament assembled.*

*"The Petition of the Undersigned, for themselves and in behalf of the Constitutional Association of the City of Montreal.*

"RESPECTFULLY REPRESENTS TO YOUR HONORABLE HOUSE,

"THAT anarchy and confusion have set the laws at defiance, and destroyed the harmony and quiet of social life; that sedition and rebellion, followed by atrocious murder, robbery and rapine, have loudly proclaimed themselves in the most populous and prosperous portion of Lower Canada; and that the rights, the interests, and the property of the Provincial inhabitants of British origin, have been jeopardized by the designs of a Revolutionary French faction madly bent upon their destruction.

"That in order to expose the real views and designs of that faction, the Constitutional Association of Montreal have undertaken the important duty of explaining to your Honorable House, as succinctly as the nature of the subject will admit, the real cause of the discontent which has called into being the active disturbances at present most unhappily, and at the same time most unjustifiably, existing in this Province, and of appealing to the sympathy of your Honorable House, in behalf of the inhabitants of British origin in Lower Canada, for the protection of their rights as British subjects, the maintenance of the Provincial connexion with the Parent State, and the acquirement from the justice of the Imperial Government of those remedial measures which will prevent the recurrence of existing disorders, and secure the prosperity and improvement of the Colony.

"At the conquest of the Province of Quebec by the British arms, the greater proportion of its inhabitants chose to remain in the Province, trusting to the generosity of their conquerors, rather than to return to the country of their ancestors: they became British subjects by the mere fact of their provincial residence, and subsequent civil and political benefactions conferred upon them demonstrated their well placed trust in the generosity of the British Government.

"The full exercise of their religious worship, the complete enjoyment of their ancient civil laws, the undisturbed use of their native language, were among the number of civil and social privileges guaranteed to them; and political privileges of equal extent to those enjoyed by the British Provincial inhabitants, were, in addition, subsequently bestowed upon them.

"The uncongeniality of the French laws, as a system of Provincial civil jurisprudence, with the spirit and feelings of British settlers, and their expressed desire for a change from the petty tyranny of a Governor and Council to the freedom of a Representative Provincial Government procured still greater advantages for the French Canadians. In the year 1791, the division of the Province of Quebec into the two separate Provinces of Lower Canada and Upper Canada was carried into effect, and a Constitution, essentially similar to that of the Parent State, was conferred upon each, whilst at the same time universal suffrage was, in effect, granted to their inhabitants.

"It was conceived that this measure, by which 'one division should consist, as much as possible, of those who were well inclined to the English laws, and the other, of those who were attached to the French laws, was best adapted to put an end to all disputes of a legal sort—to reconcile the jarring interests and opposite views of the Provincial inhabitants—to prevent a great degree of animosity and confusion, from their rooted opposition of interests—and to obviate dissatisfaction from a great ascendancy of one party over another in a united Legislature.'

"Two objections to the measure were, however, neglected by the Minister of the day, that it fostered a population of foreigners in a British Colony, and that it contained no provision, whereby the inhabitants of the British Islands should be totally excluded from settling themselves in Lower Canada.

"The experience of fifty years of separation between the Provinces, and the present insurrectionary and seditious spirit exhibited in Lower Canada, plainly show how far the advantageous results anticipated from that impolitic and undesired measure have been realized.

"The possession of the right of almost universal suffrage, and of a numerical popular majority of the Provincial constituency, gave the complete command of the Representative branch of the Legislature to the French Canadians, who soon exhibited a perfect knowledge of their advantage, and of that exclusive spirit which has since invariably actuated all their proceedings, and grown into a firm determination to accomplish their final purposes of the destruction of the interests and rights of the Provincial inhabitants of British and Irish origin, and of the Provincial connexion subsisting with the Parent State.

"A cursory examination of the composition of the House of Assembly, from its establishment, will show, that, with scarcely an exception, no individual of British or Irish origin has been returned to serve as a member of that body by a French Canadian majority, unless as a pledged supporter of French Canadian principles; with scarcely an exception, no Provincial law has been passed, how much soever required for the support of the interests or the protection of the rights of the inhabitants of British and Irish origin, and that even these legal exceptions were invariably of a temporary nature, and subject to the capricious pleasure of French Canadian majorities. The spirit of the legislation of that body, will show that its temporary character was adopted to render the Province the more completely subject to their controul, or to enable them the more easily to take advantage of their expected predominance, for the abrogation of those very temporary laws which they had been constrained to pass. The political principles of that body will show a fixed opposition to British interests, not only in their aversion to or rejection of every measure which would tend to the introduction of capital and of a British population into the Province, as for example, an effectual system for the registration of Mortgages, and an abrogation of the feudal tenure; but also in their positive introduction and adoption of every measure, likely to



to tend to the privation of British and Irish rights, or to the destruction of British and Irish interests, such as the existing county division of the Province, by which the British and Irish constituency in the seigniories has been completely swamped in the greater numbers of the French Canadians, and the defeated attempt to deprive their fellow subjects of British and Irish origin in the cities, tenants of leasehold property in co-partnership, from a right of voting for Members of the Assembly. The claim of that body, for the sole management and disposal of the whole revenue of the Province, has constantly had in view the attraction into their own hands of the entire Provincial authority, and the subjection of the Executive Government to their arbitrary will. From their first insidious attempt in 1793 to obtain the repeal of the permanent appropriation contained in the Act of 1774, for the support of the civil government and the administration of justice, thereby to subject the Executive Government to their good pleasure, for any further support than the pittance they then agreed to allow, through the whole course of the financial difficulties, which they had never allowed to slumber, by means of their annual supply Bills, their difficulties as to the items of that supply, their representation in 1822, not to grant permanent supplies, or supplies during the Sovereign's life, their delegation to England in 1828, and the whole category of their agitation upon this subject, down to the year 1831, when the full accomplishment of their long sought desires was obtained from the good faith of the British Government, by the repeal of the permanent appropriations, their first, last, great object, was to obtain possession of the Provincial Revenues, well knowing that by this means the Government would be cast into their hands. Finally, the detail of the grievances of that body, as representing the opinions of their constituency, the so called great mass of the population, complete the evidence of their exclusive interests: in them will be found the abrogation of the Charter granted to the British American Land Company, by means of which the Assembly sought to assume the management of the Waste Lands in the Townships, and thereby to prevent the settlement therein of a British and Irish population; the repeal of the Tenures Act, by which a commutation of seigniorial tenure may be effected from their apprehension of its leading to the introduction into the Province of British capital; their indisposition to encourage the settlement of the Townships of this Province, because they are principally inhabited by a British, Irish and American population; their unwillingness to co-operate with Upper Canada, in the extensive improvements in progress in that Province, by which its settlement and prosperity might be augmented; and like advantages might thereby accrue to the British and Irish inhabitants of Lower Canada: and their pertinacious endeavours to render the Legislative Council elective, because in it alone were to be found the means of opposing their exclusive pretensions, and of protecting British interests. The history of the House of Assembly in its composition, its legislation, its spirit, and political principle, fully establish the aim which its Members have constantly kept in view, the aggrandizement of the population of French and the oppression of that of British origin.

"The recorded testimony of a French Canadian leader, and one of the delegates to England, in 1828, to represent the grievances of his fellow countrymen, and since that time, their paid agent for similar purposes, corroborate the views taken by the Constitutional Association; he declared, in his examination before the Canada Committee of the House of Commons, that 'the establishment of the English laws as applicable to property held in the Townships on the Tenure of free and common socage, would be an infringement of the rights belonging to the French Canadians, if not done by the Legislature of Lower Canada; that the French laws should be allowed to continue all over the country; that facilities should have been given to the French Canadians to settle in the Townships; that the means of going there should have been given to them; that a system of education, according to the notions and ideas of the French Canadians, should have been followed; that the desire of the French Canadians must necessarily be to keep up their own institutions, and to preserve their laws in every part of the country; that the Legislative Council should be composed of men who would side with the mass of the people; and, in effecting this latter arrangement, that its natural effect would be to secure the means of extending the French laws and the French Canadian system over Lower Canada.'

"In the full and complete security of their persons and property, in the free and unrestricted enjoyment of their religious worship, their ancient civil laws, their native and beloved language, and of an equality of rights and privileges in the provincial representative government with their fellow subjects of British and Irish origin, in possession, moreover, of a numerical popular majority, the French Canadians could have no sympathies in common with people of another race and speaking another language, no inducement to divest themselves of prejudices dear to them alike from the associations of country and the recollections of life, or to abandon habits and customs which they cherished, and to which they were firmly attached, for the questionable advantages to be obtained from assimilation with strangers, whom they were taught to disregard; and the natural consequence has been, that, in proportion as the French Canadian population has increased, those evils have likewise increased, until the repugnance to British interest and British connexion has finally assumed the form of open and declared rebellion.

"The French Canadian population were thus not only nationally inclined to mark their active opposition to their fellow subjects of British and Irish origin, but they have been taught to consider them as strangers and trespassers upon their soil; they have been taught to feel towards them none of those kindly sympathies which unite together subjects of the same country and possessors of the same rights; they have in fine been taught to believe themselves oppressed by their fellow subjects of British and Irish origin, and to imagine that they possessed the power of expelling their oppressors. Overlooking moral feebleness in physical capability, desperate men made an open livelihood by influencing the population of French origin to acts of violence; missionaries of insurrection by their own example ostentatiously showed to them the manner of setting the laws at defiance; and individuals loaded with



every species of personal contempt, aggravated a local pressure into popular tumult, or embittered an unimportant grievance into bloodshed. In all cases the object was attained, active discontent was introduced into the passive population, and noon-day meetings gradually ripened into sedition and rebellion.

"It is this exclusive French Canadian spirit alone which has given rise to all the discontent existing in this Province; it is this which has in fact made the question one of national origin, and not of political party; in it is to be discovered the source of all the disturbances which have brought sedition and rebellion in their train, and in it alone is to be found a full and complete answer to the enquiry, to what causes the present unhappy condition of this Province is to be ascribed.

"The conclusion is borne out by the text-book of the complaints of the French Canadian Representatives, adopted in 1834, the famous ninety-two Resolutions of the House of Assembly, in which will be found a full detail of grievances and abuses which that body knew to be either altogether redressed, or in active course of being so; reference is therein principally had to those which have been already adverted to, the introduction of the elective principle into the composition of the Legislative Council, the abrogation of the Tenures Act, and the disposal of the whole Revenue of the Province; the two former have been most wisely refused, the latter as unwisely granted, while by the admission of the French Canadians themselves no real oppression exists in the Province, and no real grievance, consistent with the preservation of British supremacy, remains unredressed. Your Petitioners submit that the Provincial inhabitants of British origin have real and substantial grounds of complaint; they have been compelled to submit to a system of jurisprudence, foreign to their habits and injurious to their interests; to a feudal law, which, to the disgrace of the Provincial Legislature, finds a home in Lower Canada alone, to a denial of those Legislative improvements which would have introduced British capital and enterprise into the Province, and increased therein a British population, and to their privation of their dearest rights as British subjects in their virtual exclusion from a just participation in the Provincial Representation.

"Although their supplications and petitions for relief have been unheeded, amidst the clamours of an insurrectionary faction, these loyal subjects still confidently trust in the magnanimity of the Mother Country, and still anticipate from her justice, an entire redress of their unmerited and patiently endured grievances. At the same time your Petitioners conceive that without a total abandonment of the policy now adopted towards this Province, and its anglicisation in fact, as well as in appearance, by means principally of its re-union with Upper Canada, the same evils will exist, the same causes of disorder will continue, and the same attempts at sedition and rebellion will again occur.

"Your Petitioners most respectfully entreat your Honorable House, to take the situation of the British inhabitants of Lower Canada into your serious consideration, and to advise such measures as will promote the objects which your Petitioners have in view, the complete anglicisation of this Province, and its re-union with Upper Canada.

"And your Petitioners as in duty bound will ever pray.

"PETER MCGILL, *President Constitutional Association of Montreal.*

"WM. BADGLEY, *Secretary Constitutional Association of Montreal.*

"MONTREAL, 13th December, 1837."

Read a third time as engrossed,

A Bill relating to the Charlotte County Savings Bank.

*Resolved*, That this Bill do pass; and

*Ordered*, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate *The Saint John Mills and Manufacturing Company.*

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Partelow take this Bill to the Council, and desire their concurrence thereto.

Mr. Allen, by leave, presented a Petition from Lieutenant Colonel Booth, K. H. and the Officers of the 43d Regiment, praying a return of duties on Wine imported for the use of their Mess during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow moved for leave to bring in a Bill, to authorise the Stockholders of the City Bank at Saint John, to lessen the number of Directors.

Leave granted.

Mr. Allen, by leave, presented a Petition from Michael M'Nally, of Queensbury in the County of York, praying remuneration for his long services as Teacher of a School; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Brown, by leave, presented a Petition from Tristram Moore and Jole Scott, Trustees of Schools for the Parish of Saint James in the County of Charlotte, and 16 others,

others, Freeholders and heads of Families at that place, praying the Provincial allowance may be granted to enable the Trustees to pay Hannah Rogers for her services as a Teacher for one year, ending in December last ; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Taylor, by leave, presented a Petition from John Owen, a disbanded Soldier of the sixty second Regiment, praying aid to enable him to obtain a grant to 100 acres of Land allotted to commuted Pensioners, he not having procured the same at the time of the other Pensioners, for reasons stated in his Petition ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Wyer, by leave, presented a Petition from John Cathcart, Daniel Hill, Junior, William Eills, and 120 others, inhabitants of the Parishes of Saint Patrick and Saint Andrews in the County of Charlotte, praying that a grant may pass to alter and amend the present line of Great Road from Connick's to the Rolling Dam in the said Connty, and that the line laid out by L. Bradshaw Rainsford, Esquire, be not adopted ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Brown, by leave, presented a Petition from the Reverend Alexander MacLean, William Kerr, William M'Lean, Miles J. Hannah, and 60 others, Minister, Elders, Trustees and Members of the Presbyterian Church in the Town of Saint Andrews, in connexion with the Established Church of Scotland, praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. J. M. Wilmot, by leave, presented a Petition from the Reverend William Andrew, Thomas Walker, John Wishart, John Thomson, and 80 others, Minister, Elders, Trustees and Members of Saint Stephen's Church in the City of Saint John, with a like prayer, which he read.

*Ordered*, That this Petition be also received, and lie on the Table.

The Honorable Mr. Johnston, by leave, presented a Petition from James Appleby, of Queen's County, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee for taking such Petitions under consideration.

Mr. Allen, by leave, presented a Petition from Michael Dennison, of Saint Mary's in the County of York : also

A Petition from William West, in the same County, old Soldiers in the Revolutionary War, praying like aid.

And having severally read the same,

*Ordered*, That they be received, and referred to the same Committee.

Mr. L. A. Wilmot, by leave, presented a Petition from Patrick Van, of Saint Mary's in the County of York : and

John Pond, of the same place, old Soldiers in the Revolutionary War : also

A Petition from Catherine Stewart, of the same place, widow of the late James Stewart, an old Soldier in the said War, praying like aid.

And having severally read the same,

*Ordered*, That these Petitions be likewise received, and referred to the same Committee

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message :—

**"New Brunswick.**

*" Message to the House of Assembly, 10th January, 1838.*

" J. HARVEY, LT. GOVERNOR.

" THE Lieutenant Governor communicates to the House of Assembly an extract of

a Letter with its enclosure, from the Right Honorable Lord Glenelg, on the subject of Prison Discipline, which he recommends to the consideration of the House as a matter requiring some Legislative regulation and provision in this Province.

"He also sends for the information and consideration of the House, a copy of a Letter, No. 32, from His Lordship on the subject of Joint Stock Companies; and another relating to the penalty imposed by the Mutiny Act, for the fraudulent purchase or possession of Soldiers necessaries.

"J. H."

*Extract from Lord Glenelg's Circular, addressed to Sir John Harvey, K. C. H., and dated  
"Downing Street, 5th July, 1837.*

"SIR,

"I have the honor to transmit to you the copy of a Letter addressed to one of my under Secretaries of State, by the Secretary to the Committee of the Prison Discipline Society in this Country, relating to the state of the Gaols and Prison Discipline in the Colonies, and containing much useful information on that subject.

"I likewise enclose a copy of the rules adopted by the Lieutenant Governor of the Bahamas, for the management of the Gaols in those Islands; which rules have been approved of by the Society above named."

*"Downing Street, 7th September, 1837.*

"SIR,

"I have received your Despatch, No. 6, of the 29th of June, enclosing the report of the Attorney General of New Brunswick, on four Acts of the Session of the Provincial Legislature for the year 1836, which were noticed in my Despatch, No. 102, of the 5th January last.

"I gladly acknowledge that this report and your own statement, have contributed greatly to relieve me from the difficulties which I felt on this subject. Her Majesty in Council will make the usual order, leaving these Acts to their operation; but I have received Her Majesty's commands to instruct you to call the attention of the local Legislature to the following observations on the subject.

"It is true that in a country placed in circumstances such as those in New Brunswick, many measures may be necessary for the encouragement of useful undertakings, which would be indefensible in this or in any other country well peopled, and possessing capital available for all the ordinary exigencies of life. The creation of joint stock Companies for the establishment of an Hotel or a Stage Coach, may, therefore, be a proper exercise of the powers of the local Legislature; but the danger of such enactments is very considerable. They tend, in fact, to introduce a new system and law of commercial partnership, for the advantage rather of particular bodies than of society at large, and after yielding to a few applications of this nature, the local Legislature will find it scarcely possible to make an effectual opposition to the instances of other speculators, who may claim on the ground of precedent a participation in the privileges conferred on their commercial rivals. The result must apparently be, that the trade of New Brunswick will at length be principally conducted not on the general principles of other commercial countries, but by joint stock societies, for whose transactions there will be no effective individual responsibility.

"It is needless to explain or to insist upon the inconvenience of such a system. But the Legislature are not reduced to the choice between the existing Law and those particular exemptions from it, which the Acts in question have introduced and tend to multiply. The case would seem to be, that the Law of commercial partnership as it exists in England, is too rigid to admit of the free development of the resources of New Brunswick. The principle that every man engaged in trade, is liable in his property and person to the utmost extent, upon every contract of the firm to which he belongs, must, of course, prevent the application to Trade of much capital which might otherwise find a profitable employment in that manner. Thus, for example, the Stage Coaches and Hotels which these Acts have established in the hands of joint stock Companies, would probably have existed as private speculations supported only by their own credit, if it had been possible to engage in the undertaking upon the principles of partnership which prevail in some parts of the Continent of Europe, and which to a certain extent have been sanctioned by Act of Parliament in Ireland. The basis of this Law is that certain persons uniting in any commercial adventure, may limit their responsibility by registering in some office of public and easy resort, the extent of the capital actually engaged by each of them in the undertaking, and making from time to time a similar public registry of the amount, nature, and estimated value of the capital then actually invested in the business, credit being thus given, not to the partners as individual capitalists, but rather to the partnership, as possessed of a certain amount of ascertained property, the risk of improvident and delusive speculation is greatly diminished. This system, it is true, cannot supersede the more ordinary methods of carrying on commercial business, but the two may exist together with great apparent advantage. Ordinary partnerships would be resorted to for the common purposes of trade, while, for more extensive and hazardous undertakings, such as those to which these Acts refer, the plan of partnerships with registered capitals and limited responsibility, would be usually preferred.

"It is almost superfluous to say, that the preceding remarks are not made with the most remote intention of assuming any authority to control the deliberations of the Legislature of the Province. I am perfectly aware, that in each of the two Houses are to be found many gentlemen who combine with

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an intimate knowledge of the general principles of commercial policy, the most exact acquaintance with all the local circumstances which must be considered in the practical application of them to the affairs of New Brunswick. But it has appeared to me, that the duty of Her Majesty's Government would be imperfectly performed, if the objections which are felt to these Laws, or rather to the obvious tendency of them, were stated alone, and unaccompanied by the best suggestions we could offer for obviating the danger, and for accomplishing the end in view by other and safer means.

"I have the honor, &c.

(Signed)

"GLENELG."

Major General Sir JOHN HARVEY, K. C. H.  
&c. &c. &c.

"Downing Street, 10th May, 1837.

"SIR,

"My attention has been called to the 65th Section of the Mutiny Act, which attaches a penalty of not less than £5, nor more than £20, to the fraudulent purchase or possession of Soldiers necessities, equipments, &c., which minimum penalty is considered far too high to be imposed upon the lower classes of society in the Colonies.

"An addition to this clause has in consequence been made in the Mutiny Bill of the present year, empowering the local Legislature, on the recommendation of the acting Governor of any such Colony, to lower the amount of such penalty to such a sum as they shall consider adapted to the ability and pecuniary means of all classes residing in the Colony.

"Previously to laying such recommendation before the Legislature of the Colony under your Government, you will take especial care that it meet with the concurrence of the Officer in the local command of the Forces.

"You will further observe that in conformity with the 79th Section, the Mutiny Act of the past year is superseded by that of the present year, so soon as it shall have been promulgated in General Orders.

"The Secretary at War will desire the Officers commanding the Forces in the Colonies, to communicate their General Orders under this head to the Civil Authorities for their information and guidance.

"I have the honor to be, &c. &c. &c.

(Signed)

"GLENELG."

The Honorable Mr. Shore likewise, by command of His Excellency, laid before the House, a schedule of Lands escheated for non-payment of Quit Rents, previous to the passing of the Commutation Act, made up by the Attorney General under an Address from the House to His Excellency of the 20th day of July last.

[*Schedule of Lands escheated, See Appendix, No. 5.*]

And he also communicated the various documents as requested by the Address to His Excellency of the 8th instant, relative to the granting of Marriage Licences.

On motion of Mr. Fisher,

*Resolved*, unanimously, That an humble and dutiful Address of condolence be presented to Her Majesty the Queen on the death of His late Majesty King William the Fourth, and of congratulation on the accession of Her present most gracious Majesty to the Throne of Her Ancestors; and further

*Resolved*, unanimously, That the Honorable the Legislative Council be requested to join in the said Address; and

*Ordered*, That Mr. Fisher communicate the said Resolutions to the Council.

The House adjourned until to-morrow morning at 10 o'clock.

## Thursday, 11th January, 1838.

*Prayers.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Snore, by command of His Excellency, delivered the following Message.

"**New Brunswick.**

"*Message to the House of Assembly, 10th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"The Lieutenant Governor transmits to the House of Assembly a plan and report of exploration of the Royal Road by the Commissioner appointed to superintend the execution of the contract for opening it; and with reference to these documents and verbal communications which he has received from various other persons, all concurring

in representing the line of Country through which the Road has been traced and partially opened, as well adapted to encourage and reward settlement, and also as being looked to with interest by many persons desirous of becoming actual settlers thereon. The Lieutenant Governor is induced by these considerations, as well as by the importance of the Road with reference to the great object originally proposed to be effected by it, to recommend the question of its early completion as one well meriting the serious consideration of the House.

"J. H."

[See Report, Appendix, No. 6.]

On motion of Mr. L. A. Wilmot,

*Ordered*, That the time for going into consideration of the Petition of Thomas Odber Miles, Esquire, complaining of the undue Election and return of Henry T. Partelow, Esquire, as a Member for the County of Sunbury, which was fixed for Wednesday the 17th day of January instant, be enlarged to Friday the 19th day of the same month, when the House will at the hour of 12 o'clock at noon of that day proceed thereon.

Mr. Beardsley, by leave, presented a Petition from Charles Upham, of Woodstock in the County of Carleton, the Contractor for building a Bridge across the Maduxnikik, praying to be reimbursed for loss sustained in the performance of his contract; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House the following documents:—

Report from L. Bradshaw Rainsford, Esquire, Supervisor of the Great Road from Fredericton to Saint Andrews, of explorations made on that Road during the past year, assisted by James Brown, Junior, and George Hayward, Esquires, accompanied by a statement of the proposed alterations.

[See Appendix, No. 6.]

Also, a Report from James Brown, Junior, George Hayward, and Adam B. Sharp, Esquires, Commissioners for making an exploration of a Road from the Nashwaak in the Parish of Saint Mary's, to the lower line of the County of York.

[See Appendix, No. 6.]

Mr. Connell, by leave, presented a Petition from George Sinnett, of Northampton in the County of Carleton, an old Soldier in the Revolutionary War, praying aid in his distressed circumstances; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Allen, by leave, presented a Petition from Holden Turner, of Fredericton in the County of York, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Beardsley, by leave, presented a Petition from Samuel Estabrooks, Esquire, and 63 others, Inhabitants of the Parish of Brighton in the County of Carleton, praying an Act may pass establishing the boundary between that Parish and the Parish of Northampton; which he read.

*Ordered*. That the said Petition be received, and lie on the Table.

On motion of Mr. Beardsley,

The House went into Committee of the whole, on a Bill to repeal an Act, intituled "An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province," and to provide for the future solemnization of Matrimony.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was

"*Resolved*, That the further consideration of the Bill be postponed to the next Session of the General Assembly."

And

And upon the question, the Committee divided as follow :—

## YEAS.

The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Mr. Woodward,  
M'Almon,  
Palmer,  
Wilson,  
Hanington,  
J. M. Wilmot,  
Barlow,  
Stewart,  
Jordan,  
Taylor,  
L. A. Wilmot,  
Fisher,  
Street,  
M'Leod,  
Hill,  
Wyer,  
Brown,  
Thomson.

## NAYS.

Mr. Connell,  
Beardsley,  
Freeze,  
Gilbert.

Whereupon it was carried in the affirmative.

*Ordered*, That the Report be accepted.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill in addition to and in amendment of an Act, intituled "An Act to repeal all the laws now in force for the organization and regulation of the Militia, and to make further provisions for the same."

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, had made progress therein, and he was directed to ask for leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Friday, 12th January, 1838.

#### Prayers.

Mr. Freeze, by leave, presented a Petition from Ralph Atkinson and 55 others, Inhabitants of King's and Queen's Counties, praying that the dividing line between those Counties and the County of Westmorland may be run out and established; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Beardsley, by leave, presented a Petition from William Segee, Senior, of Fredericton in the County of York, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Connell, by leave, presented a Petition from Jabez C. Squires, George Milbery and William W. Emslie, Trustees of Schools for the Parish of Kent in the County of Carleton, praying the Provincial allowance may be granted to enable them to remunerate Richard Pointer for teaching a School at that place for six months, ending in May last; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Fisher, by leave, presented a Petition from John Robinson, Esquire, and 40 others,

others, Inhabitants and Freeholders of the Parishes of Douglas and Stanley in the County of York, praying that an Act may pass altering the division line between those Parishes and the Parish of Saint Mary's; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Street, by leave, presented a Petition from the Reverend James Souter, James Gilmour, Alexander Harvey, John Macdougall, and 79 others, Minister, Elders, Trustees and Members of Saint James' Church, at Newcastle, Miramichi, in connexion with the established Church of Scotland, praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of a Bill in addition to and in amendment of an Act, intituled, "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, after the merits and principles thereof were fully discussed—

It was moved that the said Bill be now taken up Section by Section.

To which an amendment was proposed—

"That the further consideration thereof be postponed for three months."

And upon the question the Committee divided as follows:—

YEAS.

Mr. Palmer,  
Hanington,  
Wilson,  
Jordan,  
Connell,  
Beardsley,  
Freeze,  
Fisher,  
Hill,  
Thomson,  
M'Almon.

NAYS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Brown,  
Wyer,  
Hayward,  
Gilbert,  
M'Leod,  
Taylor,  
Barlow,  
J. M. Wilmot,  
Partelow,  
Street,  
H. T. Partelow,  
Allen,  
Stewart,  
L. A. Wilmot.

And it was decided in the negative.

The question was then taken upon the original motion, when the Committee again divided, and it was carried in the affirmative.

The first Section being then taken up, in the Committee it was proposed, as an amendment, to expunge the said Section as well as all the other Sections together with the Preamble, and substitute the following:—

"Whereas it is expedient that Legislative aid should be immediately afforded, in order to enable His Excellency the Lieutenant Governor to organize, with as little delay as practicable one or more Militia Companies for the performance of Garrison or other Military duty within this Province, in the absence of Her Majesty's regular Troops therefrom;

"I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, His Excellency the Lieutenant Governor or Commander in Chief of this Province for the time being, be and he is hereby authorized and empowered, whenever he shall think it expedient, to order a draft by ballot, according to the mode prescribed in and by the thirtieth Section of the aforesaid

aforesaid Act, of Companies of Militia, for the performance of Garrison or other Military duty within this Province.

"II. And be it further enacted, That the Officers, non-commissioned Officers, Drummers, Fifers and Buglers, who may be engaged as aforesaid in Garrison or other duty as aforesaid, within this Province, shall receive the same pay and allowances as the Officers, non-commissioned Officers, Drummers, Fifers, Buglers and Privates of Her Majesty's regular Troops respectively receive, so long as they shall be on such duty as aforesaid, subject to such rules and regulations as are prescribed and pointed out in and by the said Act to which this is an addition."

And upon the question it was decided in the negative.

An amendment was then moved to insert in the said first Section after the words "Commander in Chief of this Province for the time being," the following "by and with the advice and consent of Her Majesty's Executive Council."

To which amendment an amendment was proposed, to strike out from the said first Section all after the words "authorised and empowered," viz:—

"To enrol and organize in such manner as to the said Commander in Chief for the time being may seem meet and proper, from the several Regiments of Militia in this Province, as many men as may voluntarily enlist as hereinafter mentioned, not exceeding in the whole rank and file," and insert as follows:—

"To call out such portion of the Militia as he may deem necessary for the performance of Garrison or other Military duty within this Province, the same to be drafted by ballot according to the mode prescribed in and by the thirtieth Section of the aforesaid Act, of which this is an amendment."

The question being taken upon the said amendment last proposed, it was decided in the negative.

And upon the question being then put upon the first amendment, the Committee divided.

YEAS, 17.

NAYS, 10.

When it was carried in the affirmative.

The question being then taken upon the Section as amended, it passed in the affirmative, and the blank filled up with the number of "twelve hundred rank and file."

And the Chairman further reported, that the Committee had made further progress in the Bill, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 13th January, 1838.

#### Prayers.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, communicated the following:—

*"Legislative Council Chamber, 11th January, 1838.*

*"Resolved*, That this House do agree to the proposed joint Address of condolence to Her Majesty, on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne.

*"Ordered*, That the Honorable Mr. Chandler be a Committee on the part of this House to join such Committee as may be appointed by the Assembly, to prepare the same.

"WM. TYNG PETERS, Clerk."

On motion of Mr. Partelow,

*Resolved*, That a Committee be appointed to join the Committee of the Legislative Council in preparing the said Address.

*Ordered*, That Mr. Fisher and Mr. Partelow do compose the Committee; and further

*Ordered*, That Mr. Fisher do acquaint the Council therewith.

Mr. Brown, pursuant to leave, brought in a Bill to provide for the assessment of County and Parish Rates; which was read a first time.



Mr. Wyer moved for leave to bring in a Bill, to incorporate *The Saint Andrews Water Company*.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor, by leave, presented a Petition from Anthony Woodland, of Dumfries in the County of York; also

A Petition from Nathaniel Seabrooks, of the same place, old Soldiers in the Revolutionary War, praying aid in their indigent circumstances.

And having severally read the same,

*Ordered*, That the said Petitions be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Connell, by leave, presented a Petition from Catharine Fero, of Southampton in the County of York, widow of the late Christian Fero, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Fisher, by leave, presented a Petition from Sarah Bate, of Southampton in the County of York, widow of the late Alexander Bate, an old Soldier in the Revolutionary War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

On motion of the Honorable Mr. Johnston,

*Ordered*, That the time for going into consideration of the Petition of Thomas Odber Miles, Esquire, complaining of the undue Election and return of Henry T. Partelow, Esquire, as a Member for the County of Sunbury, which was enlarged from the 17th to the 19th day of January instant, be again enlarged to Friday the 26th day of the same month, and that the House will at the hour of 12 o'clock at noon on that day proceed thereon.

Read as engrossed,

The Resolutions of Appropriation made and passed the 9th instant.

*Ordered*, That Mr. Wyer take the said Resolutions to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to provide for the erection of Fences with gates across the Highways on Deer Island in the Parish of West Isles, in the County of Charlotte.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate *The Petcodiac Wet Dock Company*.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Hanington take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to lessen the number of Directors of the Bank of New Brunswick.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Allen take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for the incorporation of the Saint John Chamber of Commerce.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Woodward take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Wyer,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to cause to be laid before this House

House at as early a day as convenient, a return of the aggregate amount of Her Majesty's Casual and Territorial Revenue in this Province, how much of the same has been paid over to the Provincial Treasurer, and the amount immediately available; also the amount payable at a future day, and when payable, and what are the securities for payment, and whether bearing interest or not, and the rate of interest; together with such other information in relation thereto as may enable this House to adopt such measures thereon as the public interest may seem to require.

*Ordered*, That Mr. Wyer, Mr. Hill and Mr. Street, be a Committee to wait upon His Excellency with the Address.

Mr. Taylor, by leave, presented a Petition from James Murphy, a disbanded Soldier from the Royal Veteran Battalion, praying aid to enable him to obtain a grant to the one hundred acres of Land allotted to commuted Pensioners; which he read.

*Ordered*, That the said Petition be received, and lie on the table.

Mr. Woodward, by leave, presented a Petition from Peter Duff, of Saint John, Merchant, praying a return of duty on goods destroyed by fire on the 14th January, 1837; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Brown,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, an account of the income and expenditure of King's College for the year 1837, with the number and names of the Professors and their Professorships, and the number and names of the Students resident and non-resident; also a statement of the quantity of Land belonging to the said College, what portion of the same is occupied, and at what annual rent; also an account of any debts that may be due from or owing to the said College; and also a copy of the Royal Charter of the same; and also a copy of the existing Statutes and Ordinances for the government of the said College.

*Ordered*, That Mr. Brown, Mr. L. A. Wilmot and Mr. Jordan, be a Committee to wait upon His Excellency with the Address.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

**“ New Brunswick.**

*“ Message to the House of Assembly, 12th January, 1838.*

“ J. HARVEY, LT. GOVERNOR.

“ THE Lieutenant Governor submits to the House of Assembly an estimate made upon an average, of the expenses incurred during the last three years, at the Secretary's Office, for Stationery, Printing and Bookbinding for the public service, with the accustomed charge for the Commissions of Oyer and Terminer for the several Counties, and for fuel and contingent expenses of the Office, and recommends to the House to make some annual or other provision for these services; in doing which the accompanying statement may be found useful.

“ The Lieutenant Governor also submits to the House the accounts of expenses incurred for Postage at the Secretary's Office during the past year, and recommends that provision be made for defraying the same. “ J. H.”

The following are the documents referred to in the foregoing Message:—

*Account of expenses incurred at the Secretary's Office for Stationery, Printing and Book-binding, &c. for the public service, during the years 1835, 1836 and 1837.*

R. Rankin & Company's account,.....	£37	2	10
A. R. Truro's,.....	47	11	5
F. Beverly's,.....	36	6	6
	3	121	0 9
Average,.....	£40	6	11
J. Simpson's account for printing,.....	£59	8	3
Average,.....	£19	16	1
Annual expense,.....	£60	3	0

Items heretofore allowed from the contingent fund to the Secretary's Office :—

For fuel and contingent expenses ;  
 For Stationery and Printing ;  
 For Commissions of Oyer and Terminer and Gaol Delivery ;  
 For Postage.

#### FUEL AND CONTINGENT EXPENSES.

The sum of twenty five pounds per annum has been regularly allowed by order of the Governor and Council since the year 1787, and paid from the contingent fund.

#### STATIONERY AND PRINTING.

The accounts for these expenses were exhibited to the Governor and Council, and regularly allowed and paid from the same fund until the 19th of May, 1821, when the following minute of Council was entered—" Ordered, that the sum of £48 18 4 be in future allowed to the Province Secretary in lieu of stationery and printing." This sum which was made up from an average of past accounts, was shortly afterwards increased in Council to £49, which amount has been since regularly paid to the close of last year, 1836.

#### COMMISSIONS OF OYER AND TERMINER AND 'GAOL DELIVERY.

By the Ordinance of Fees the Secretary is entitled to a fee of 30s. for every of these Commissions, the accounts for which, stating the numbers, have been laid before the Governor and Council, and regularly paid from the contingent fund since the year 1793. The Governor's fees upon them were also paid from the same fund until the commutation of His Excellency's fees, when all the fees payable to him were transferred to the Casual Revenue.

#### POSTAGE.

The accounts of the Post Master have been regularly submitted to the Governor and Council and paid from the contingent fund since 1787.

These allowances so made for nearly 50 years, may be fairly considered as prescriptive rights of the Secretary's Office, sanctioned by the authority of the Governor and Council ; but the account herewith exhibited will shew that the sum allowed for stationery and printing falls considerably short of the expense incurred, owing to the great increase of business in the office, particularly in the granting of lands upon which the Secretary no longer receives fees ; and when it is considered that the stationery is used entirely for the public service, and that upon every article printed for the use of the office, except the Treasury warrants, a fee or in case of a grant of land, the purchase money is paid into the Casual Revenue, it will hardly be thought just or reasonable to discontinue the allowance.

(Signed)

W. F. ODELL.

*Secretary's Office, 30th December, 1837.*

Estimate for defraying the annual expense of Stationery, Printing, Bookbinding, &c. for the Secretary's Office, for the Commissions of Oyer and Terminer, and Gaol Delivery, for the several Counties, and for fuel and contingent expenses of the office.

Stationery, Bookbinding, &c.....	£40	6	11
Printing,.....	19	16	1
Twelve Commissions of Oyer and Terminer and Gaol Delivery,.....	18	0	0
Fuel and Contingent expenses,.....	25	0	0
	£103	3	0

The Honorable Mr. Shore, also by command of His Excellency, laid before the House, general abstract of Revenue and expenditure of the Province of New Brunswick for 1837.

On motion of Mr. L. A. Wilmot,

*Ordered,* That the time for the hearing of the Petition of William FitzWilliam Owen, John Wilson, William Kerr, Nehemiah Marks, Esquires, and 79 others, of the County of Charlotte, complaining of the undue Election and return of Robert Thomson, Esquire, as a Member for that County, which was appointed for Saturday the 20th day of January instant, be enlarged to Thursday the 1st day of February next, when the House will at the hour of 12 o'clock at noon on that day go into consideration thereof. On

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill to authorize the Magistrates of the County of Charlotte, to levy an assessment to pay off the County debt.

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. Fisher moved for leave to bring in a Bill, to authorise the extension of the Gaol Limits in the Parish of Fredericton.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill further to amend an Act, intituled "An Act to authorise the Grand Jurors in the several Counties within this Province to inspect the public accounts."

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. L. A. Wilmot, by leave, presented a Petition from the Reverend Robert Archibald, John Caruthers, Alexander Key, Francis Peabody, and 118 others, Minister, Elders, Trustees and Members of Saint Andrew's Church, Chatham, Miramichi, in connexion with the established Church of Scotland, praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Fisher moved for leave to bring in a Bill, to alter the division line between the Parishes of Douglas and Stanley in the County of York.

Leave granted.

The House adjourned until Monday morning next at 10 o'clock.

### **Monday, 15th January, 1838.**

*Prayers.*

Mr. Street, by leave, presented a Petition from Neal M'Lean, of Newcastle in the County of Northumberland, praying a return of duty on a Puncheon of Rum destroyed by accident; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Read a second time the following Bills:—

A Bill to incorporate *The Saint Andrews Water Company*:

A Bill to provide for the assessment of County and Parish Rates: and

A Bill to authorise the extension of the Gaol Limits in the Parish of Fredericton.

Mr. Hill, by leave, presented a Petition from Thomas Armstrong, Nehemiah Marks, James Frink, Samuel Abbot, and Tristram Moore, Esquires, together with 190 others, Freeholders of the County of Charlotte, praying an Act may pass erecting the Parishes of Saint Stephens, Saint David and Saint James, into a separate and distinct County; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Street, by leave, presented a Petition from John Cuppage, James Foran, John Murphey, and 93 others, of Northesk in the County of Northumberland, praying an Act may pass for a division of that Parish; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Thomson, by leave, presented a Petition from John Baldwin, of Saint George in the County of Charlotte, an old Soldier in the Revolutionary War, praying aid in his distressed circumstances ; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Wyer, by leave, presented a Petition from John Dick, of Saint George in the County of Charlotte ; also

A Petition from Neal M<sup>c</sup>Nichol, of the same place, old Soldiers in the Revolutionary War, praying like aid.

And having severally read the same,

*Ordered*, That they be received, and referred to the same Committee.

Mr. Street, by leave, presented a Petition from William Clarke, of Nelson in the County of Northumberland, an old Soldier in the Revolutionary War, praying like aid ; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Fisher, by leave, presented a Petition from William Cornelison, of Queensbury in the County of York, an old Soldier in the Revolutionary War, praying like aid ; which he read.

*Ordered*, That this Petition be also received, and referred to the same Committee.

Mr. Allen, by leave, presented a Petition from Ann Grant, of Douglas in the County of York, widow of Samuel Grant, an old Soldier in the Revolutionary War ; also

A Petition from Frederick Weaver, of Ludlow in the County of Northumberland, an old Soldier in the same War, praying like aid.

And having severally read the same,

*Ordered*, That they be received, and referred to the same Committee.

Mr. Partelow, by leave, presented a Petition from Robert W. Crookshank, James Kirk, E. D. W. Ratchford, James T. Hanford, Stephen Wiggins, and 53 others, Merchants and Shipowners of Saint John, praying that no Act may pass to authorise the imposing of any wharfage duties on the landing and shipping of merchandize at that place ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Street, by leave, presented a Petition from Alexander Davidson, and 30 others, of Newcastle in the County of Northumberland, praying a grant may pass in aid of the Grammar School at that place ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

The Honorable Mr. Speaker laid before the House—

Returns from the Central Fire Insurance Company, shewing the state thereof, up to the 4th January instant ; and

A similar return from the Saint Stephen's Bank, up to the first Monday in the same month, made up in pursuance of the terms of their Acts of incorporation

[*See Appendix, No. 1.*]

Mr. Street, by leave, presented a Petition from the Reverend Michael Egan, the Reverend James Souter, and the Reverend Samuel Bacon, together with James Gilmour, Esquire, and 93 others, of the County of Northumberland, praying a grant may pass towards the building of a School house at Newcastle, for the use of the people of the Roman Catholic Church ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street moved for leave to bring in a Bill, to erect a part of the Parish of Northesk in the County of Northumberland, into a distinct and separate Parish.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor, by leave, presented a Petition from Governor Tomer, Captain Tomer, Francis Tomer, and others of the Miliceti tribe of Indians, settlers at the French Village in the County of York, praying aid towards the establishment of a School at that place, to instruct them in the English language ; which he read.

And

And upon the question that the said Petition be received, and referred to the Committee of Supply, it was decided in the negative.

Mr. Connell moved for leave to bring in a Bill, to amend an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

Leave granted.

Mr. Wyer moved for leave to bring in a Bill, to alter, amend and in addition to an Act for the regulating, laying out and repairing Highways.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of a Bill in addition to and in amendment of an Act, intituled, "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, and the eighth Section being under consideration, which enacts as follows :—

"And be it enacted, That this Act shall continue and be in full force and effect for the space of two years from and after the passing thereof, and if the said Commander in Chief shall think proper to discharge the said Corps, or either of them, before the expiration of the said term of two years, it shall and may be lawful for him so to do by General Order to that effect: Provided always, that the said first mentioned corps be not discharged without the limits of this Province."

An amendment was moved thereto, to expunge all after the words "Be it enacted," and substitute the following :—

"That an Act made and passed in the sixth year of the Reign of His Majesty King George the Fourth, intituled 'An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same;' and also another Act made and passed in the ninth year of the same Reign, intituled 'An Act to alter and amend the Laws now in force for the regulation of the Militia,' be and the said several Acts are hereby severally limited in their operation to years from the passing of this Act, and from and after which time shall no longer be of any force or effect, any thing therein severally contained, or any law, usage or custom to the contrary thereof in any wise notwithstanding."

And upon the question for adopting the said amendment, the Committee divided—

#### YEAS.

Mr. Thomson,  
Hill,  
Gilbert,  
Fisher,  
Freeze,  
Beardsley,  
Connell,  
Wilson,  
Hanington,  
Palmer,  
Jordan.

#### NAYS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. M'Almon.  
Partelow,  
Allen,  
Stewart,  
H. T. Partelow,  
L. A. Wilmot.  
Street,  
J. M. Wilmot,  
Barlow,  
Taylor,  
M'Leod,  
Hayward,  
Wyer,  
Brown.

And it was decided in the negative.

The question was then taken upon the original Section, and it was carried in the affirmative.

That the Committee then, after making several amendments to the Bill, agreed to the

the same, under the title of " A Bill in addition to an Act, intituled ' An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same.' "

The question was then taken in the House, that the Report be accepted—

Whereupon the House divided as follows :—

## YEAS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Partelow,  
H. T. Partelow,  
M'Almon,  
Stewart,  
Allen,  
Street,  
J. M. Wilmot,  
Barlow,  
L. A. Wilmot,  
M'Leod,  
Hayward,  
Wyer,  
Brown,  
Taylor.

## NAYS.

Mr. Hanington,  
Wilson,  
Jordan,  
Woodward,  
Beardsley,  
Palmer,  
Gilbert,  
Fisher,  
Connell,  
Hill,  
Thomson.

And it was carried in the affirmative.

*Ordered*, thereupon, that the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Street, by leave, presented a Petition from William Abrams, Richard Blackstock, William Letson, and 93 others, of Northumberland, praying that an Act may pass incorporating sundry persons by the name of *The President, Directors and Company of the Miramichi Bank*.

*Ordered*, That the said Petition be received, and lie on the Table.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 16th January, 1838.

### Prayers.

Mr. Hanington, by leave, presented a Petition from John Underwood, of Shediack in the County of Westmorland, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions into consideration.

Mr. Wyer, by leave, presented a Petition from Mary Bucket, of Grand Manan in the County of Charlotte, widow of William Bucket, an old Soldier in the Revolutionary War; also

A Petition from David Quigley, of the same place, an old Soldier in the same War, praying like aid.

Which he severally read.

*Ordered*, That these Petitions be likewise received, and referred to the same Committee.

Mr. Brown, by leave, presented a Petition from William Hurly, of Saint George in the County of Charlotte, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Wilson, by leave, presented a Petition from Jane M'Cardy, of Dorchester in the County of Westmorland, widow of the late Samuel M'Cardy, Esquire, an Officer in the Revolutionary War, praying aid from her great age and infirmities; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr.

Mr. Freeze, by leave, presented a Petition from John Dalin, Moses Chambers, and 16 others, of Sussex in King's County, praying aid towards the erecting of a School House at the Dutch Valley Settlement in that Parish; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Beardsley, pursuant to leave, brought in a Bill to amend an Act, intituled "An Act for regulating Juries and declaring the qualifications of Jurors;" which was read a first time; and

On motion of Mr. Beardsley,

*Ordered,* That fifty copies thereof be printed for the use of the Members of this House.

Mr. Beardsley, by leave, presented a Petition from Samuel Nevers, of Brighton in the County of Carleton, praying aid towards erecting an Oat Mill; which he read.

*Ordered,* That the said Petition be received, and referred to the Committee on the Agricultural interests of the Province.

Mr. Hanington, by leave, presented a Petition from John Bell, and 75 others, Inhabitants of the Counties of Westmorland and Kent, praying aid to encourage the running of a Packet Boat between Shediac and Bedecque in Prince Edward Island; which he read.

*Ordered,* That the said Petition be received, and referred to the Committee of Trade.

Mr. Hill, by leave, presented a Petition from George M'Kay, Peter M'Callum, and 33 others, Inhabitants of Saint Patrick in the County of Charlotte, praying a grant may pass to enable them to finish a Presbyterian Church on Whittier's Ridge in the said Parish; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Hill, also by leave, presented a Petition from the Reverend Alexander M'Lean, William Kerr, James Boyd, and others, Minister, Elders and Trustees of the Scotch Church at Saint Andrews in the County of Charlotte, praying that a grant may pass towards building the said Church at Whittier's Ridge; which he read.

*Ordered,* That this Petition be likewise received, and lie on the Table.

Mr. Jordan, by leave, presented a Petition from James Crozier, Edward Hughes and Patrick M'Laughlan, Settlers at the Great Marsh in Saint John, praying that Benjamin L. Peters, Esquire, the Supervisor of the Great Road between Saint John and the Nova Scotia line, may be ordered to pay over to them a balance retained by him on Contracts for improving the Marsh Road, in the year 1836; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House the Province Treasurer's accounts, for the year ending the 31st December last.

[See Report, Appendix, No. 7.]

On motion of the Honorable Mr. Johnston,

*Ordered,* That the said accounts be referred to the Committee on Public and Private Accounts, to examine and report thereon; and

On motion of Mr. Partelow,

*Ordered,* That Mr. Barlow be added to the said Committee.

Mr. Hill, by leave, presented a Petition from Nehemiah Marks, and 22 others, importing Merchants, Shipowners and others, residing at Saint Stephens, in the County of Charlotte, praying that the Deputy Treasurer at that Port be authorised to collect and receive the Provincial duties on articles imported into that place; which he read.

*Ordered,* That the said Petition be received, and lie on the table.

Mr. Woodward, by leave, presented four several Petitions from Robert Rankin and Company, of Saint John, Merchants, as agents for the owners of the Brigs Ann and Mary, Isadore, Susan Jane and Leslie Gault, praying a return of duty on passengers brought into that Port by those vessels, in the month of June last;

And having severally read the same.

*Ordered,* That they be received, and referred to the Select Committee for taking such Petitions under consideration.



The Honorable Mr. Johnston, by leave, presented a Petition from John M'Lean, Archibald G. M'Lean, George Farris and others, of the Grand Lake Settlement, in Queen's County, owners of Crafts plying on the River Saint John, setting forth that the navigation of the River would be much benefitted by connecting the Split Rock at the entrance of the said River with the main land; and praying that a Wharf or Bridge may be erected at that place to accomplish the same; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Wyer, by leave, presented a Petition from the President and Directors of the Charlotte County Bank, praying that an Act may pass to increase the Capital Stock, and for an extension of their Charter; which he read.

*Ordered*, That the said Petition be received, and lie on the table.

Read a second time,

A Bill to alter, amend and in addition to an Act for the regulating, laying out and repairing Highways: and

A Bill to erect part of the parish of Northesk in the County of Northumberland, into a distinct and separate Parish.

Mr. Wilson, by leave, presented a Petition from John Smith and 82 others, of Hopewell in the County of Westmorland, praying a grant may pass towards improving the navigation of the Upper Salmon River; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Jordan, by leave, presented a Petition from William R. Sentill, and 15 others, of the German Stream Settlement, in the County of Saint John, praying a grant may pass towards clearing out wind falls and rocks from the said stream; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Wyer moved for leave to bring in a Bill, to increase the Capital Stock of the Charlotte County Bank, and to make more effectual provision for the regulation of the same, and to extend the term of its Charter.

Leave granted.

Mr. Fisher, pursuant to leave, brought in a Bill to alter the division line between the parishes of Douglas and Stanley, in the County of York; which was read a first time.

The Honorable Mr. Speaker laid before the House various Plans, Surveys and other Documents, connected with the contemplated Rail Road between Quebec and Saint Andrews.

On motion of the Honorable Mr. Crane,

*Resolved*, That a Committee be appointed to enquire into and report upon the subject of Postage to be afforded to Members of the Legislature.

And upon the question for adopting the Resolution, the House divided—

YEAS, 13.

NAYS, 10.

So it passed in the affirmative.

*Ordered*, That the Honorable Mr. Crane, Mr. McLeod, Mr. Stewart, Mr. J. M. Wilmot and Mr. Brown, do compose the Committee.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to authorise the extension of the Gaol Limits in the Parish of Fredericton.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. Brown, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House of Saturday last, praying for certain information

information relative to King's College, reported, that they had attended thereto, and His Excellency was pleased to say, that he would direct the required information to be laid before the House as soon as possible.

Mr. Wyer, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House of Saturday last, praying that His Excellency would be pleased to direct sundry information with regard to the Casual and Territorial Revenue to be laid before this House, reported, that they had attended to that duty, and His Excellency was pleased to say that the desired information should be given.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House a Plan and Report of exploration from Hugh J. Hansard, Esquire, of a proposed line of Road from Fredericton to the Bend of the Peticodiac.

[See Appendix, No. 6.]

And on motion of the Honorable Mr. Crane,

*Resolved*, That the same be referred to a Select Committee to report thereon.

*Ordered*, That the Honorable Mr. Crane, Mr. Fisher, Mr. H. T. Partelow, Mr. M'Almon and Mr. Gilbert, do compose the Committee.

Mr. M'Leod moved for leave to bring in a Bill, to amend an Act, intituled "An Act for the endowment of King's College, at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the Grammar School in King's County.

Leave granted.

The said Bill being brought in, was read a first time.

The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 17th January, 1838.

#### Prayers.

The Honorable Mr. Johnston, by leave, presented a Petition from Asher Vail, of Gagetown in Queen's County; and

A Petition from Elias Seacord, of Wickham in the same County, old Soldiers in the Revolutionary War; also

Petitions from Elizabeth Green of Wickham, and Susan Foster of Waterborough, in the same County, widows of James Green and Josiah Foster, who served in the same War, praying aid in their destitute circumstances.

And having severally read the same,

*Ordered*, That they be received, and referred to the Select Committee for taking such Petitions into consideration.

Mr. Hayward, by leave, presented a Petition from Hicks Simmons, of Sheffield in the County of Sunbury, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Beardsley, by leave, presented a Petition from James Canter, of Woodstock in the County of Carleton, an old Soldier; also

A Petition from James Dyer, of Brighton in the same County, who served in the Revolutionary War, praying like aid; which he read.

*Ordered*, That these Petitions be received, and referred to the same Committee.

Mr. Allen, by leave, presented Petitions from Benjamin Collins, of Saint Mary's in the County of York, and Isaac Miles, of Kingsclear in the same County, old Soldiers in the Revolutionary War, praying like aid; which he read.

*Ordered*, That these Petitions be received, and referred to the same Committee.

Mr. Fisher, by leave, presented a Petition from Ann Munroe, of Saint Mary's in the County

County of York, widow of William Munroe, who served in the same War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Beardsley, by leave, presented a Petition from Jacob Tompkin, of Southampton in the County of York, an old Soldier, praying remuneration for past services; which he read.

And upon the question, that the said Petition be received, and referred to the same Committee, it was decided in the negative.

Read a second time the following Bills:—

A Bill to amend an Act, intituled “An Act for the endowment of King’s College, at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province,” so far as the same Act relates to the Grammar School in King’s County:

A Bill to amend an Act, intituled “An Act for regulating Juries and declaring the qualifications of Jurors:” and

A Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York.

Mr. End, by leave, presented a Petition from Joseph Read, and 62 others, of the County of Gloucester, praying that an Act may pass to incorporate certain persons by the name of *The President, Directors and Company of the Miramichi Bank*; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Jordan, by leave, presented a Petition from Thomas Smith, and 21 others, settlers on the south branch of Hammond River in King’s County, praying a grant may pass towards removing obstructions from the said River; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Read a third time as engrossed,

A Bill to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorise the extension of the Gaol Limits in the Parish of Fredericton.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill to incorporate *The Saint Andrews Water Company*.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Woodward,

Whereas representations have been made to this House that no Charts are in existence giving accurate description of the rocks, shoals, and other dangerous obstructions in the Bay of Fundy, and of the shores and islands contiguous thereto: And whereas from the increasing trade to the Ports connected with the said Bay, it is highly desirable that such a comprehensive survey should be made, and Charts taken therefrom, as would particularly designate such rocks and shoals, as well as the recently erected Light House establishments on our coasts: And whereas addresses from the House and from the Legislative Council in February 1835, to the then Lieutenant Governor, were laid before His late Majesty’s Government—it was communicated to this House by Message on 22d June, 1835, that Commander Bayfield would terminate his survey in the Gulf of Saint

Saint Lawrence in two more seasons, when it was intended to employ the Commander on the west coast of Nova Scotia and the Bay of Fundy: And whereas that term has elapsed, and it appears by a communication from Commander Bayfield to His Excellency the Lieutenant Governor, dated 11th November last, that his survey in the Gulf of Saint Lawrence will not be completed in less than three years from that time; and it being very desirable that a survey should be commenced at an earlier period; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to bring this subject, so deeply important to the shipping and commercial interests of the United Kingdom and this Province, again under the consideration of Her Majesty's Government.

*Ordered*, That Mr. Woodward, Mr. H. T. Partelow and Mr. M'Leod, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Partelow,

*Ordered*, That the Bill to provide for the assessment of County and Parish Rates be printed, and that fifty copies thereof be furnished for the use of the Members of this House.

Mr. Stewart, by leave, presented a Petition from John Montgomery and 22 others, of Restigouche in the County of Gloucester, praying that an Act may pass to incorporate certain persons by the name of *The President, Directors and Company of the Miramichi Bank*; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Weldon, by leave, presented a Petition from the Reverend James Hanney, Samuel Girvan, David Gifford, William Bowser, and 176 others, Minister, Elders, Trustees and Members of Saint Andrew's Church in Richibucto, in connexion with the established Church of Scotland, praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Taylor, by leave, presented a Petition from the Reverend John Birkmyre, Thomas Stewart, James Willox, Robert Gowan, and 75 others, Minister, Elders, Trustees and Members of Saint Paul's Church, Fredericton, with a like prayer; also

A Petition from the Reverend Robert Wilson, Robert Rankin, James Kirk, Daniel Leavitt, and 48 others, Minister, Elders, Trustees and Members of Saint Andrew's Church, Saint John, with a similar prayer.

And having severally read the same,

*Ordered*, That they be likewise received, and lie on the Table.

Mr. Allen moved for leave to bring in a Bill, for altering the time of holding the June Term of the General Sessions of the Peace and Inferior Court of Common Pleas for the County of York.

Leave granted.

The said Bill being brought in, was read a first time.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, acquainted the House that the Council had passed a Bill, intituled "An Act in addition to the Act for defining the crime of Forgery;" to which they desire the concurrence of the Assembly.

The said Bill was then read a first time.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Snore, by command of His Excellency, delivered the following Messages:—

### **"New Brunswick.**

*"Message to the House of Assembly, 15th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor communicates to the House of Assembly, an extract of a Despatch dated 10th November, 1837, from the Right Honorable Lord Glenelg, in answer to the joint Address of the Legislature, on the subject of the Boundary between this Province and the State of Maine.

"J. H."

*Extract*

*Extract from a Despatch, No. 49, dated Downing Street, 10th November, 1837, from the Right Honorable Lord Glenelg, Secretary of State for the Colonies, to Major General Sir John Harvey, K. C. H.*

"I have received, and have had the honor to submit to Her Majesty, your Despatches of the dates and numbers mentioned in the margin, on the subject of the disputed Boundary between New Brunswick and the State of Maine.

"In answer to the joint Address of the Legislature, enclosed in the first of these Despatches, the Queen has commanded me to apprise the Legislative Council and House of Assembly of New Brunswick, that Her Majesty fully participates in their anxiety for a final adjustment of this embarrassing and long pending question.

"Immediately on the receipt of your Despatches, they were communicated to Viscount Palmerston; and His Lordship is at the present moment engaged in a correspondence with the Central Government of the United States, with the view of adopting further measures for the settlement of the Boundary. Notwithstanding the ill success which has hitherto attended the efforts of the British Government, Her Majesty's Ministers cannot but hope that the propositions which they have lately made to the United States Government, will tend to clear away some of the difficulties which have heretofore been opposed to a final decision on this question."

**"New Brunswick.**

*"Message to the House of Assembly, 16th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor communicates to the House of Assembly, a copy of a Despatch received from His Excellency Sir Colin Campbell, with a report of the Committee of the House of Assembly of Nova Scotia, on the subject of the Fisheries.

"J. H."

*"Government House, Halifax, 10th January, 1838.*

"SIR,

"I have the honor to transmit to Your Excellency three copies of the report made by the Committee of the House of Assembly of this Province, appointed to consider the subject of the Fisheries, in the last Session; and in compliance with the request of the House, to solicit your Excellency's co-operation in protecting that valuable branch of Commerce. I have received a Despatch from Lord Glenelg, mentioning that this report will receive the most serious consideration of Her Majesty's Government, and that their decision in regard to it, so soon as it can be maturely formed, will be communicated to me; so that as the attention of the respective Legislatures of New Brunswick and Nova Scotia will doubtless be soon directed to the same important subject, there seems reason to hope, that before the commencement of the ensuing season, some efficient measures will have been devised and adopted for preventing the encroachments of Foreigners on our fishing grounds, and enforcing a stricter observance of the stipulations of the convention existing between Her Majesty's Government and the United States, and which has been hitherto so openly and extensively violated, to the immense injury of all Her Majesty's subjects concerned in the Fisheries in these and the neighbouring Colonies.

(Signed) "COLIN CAMPBELL."

Major General Sir JOHN HARVEY, K. C. H. &c. &c. &c.

[*Report on Fisheries, See Appendix, No. 8.*]

**"New Brunswick.**

*"Message to the House of Assembly, 16th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor informs the House of Assembly, that the state of the public business requires the appointment of a Messenger, which has been recommended by the Executive Council, to attend upon that Body and the Secretary's Office, as a mean of communication with the Lieutenant Governor, and he therefore recommends that provision be made for this service.

"J. H."

Mr. Taylor, by leave, presented a Petition from Richard Ketchum, of Woodstock in the County of Carleton, praying an Act may pass incorporating certain persons under the name of *The Carleton Mining Company*; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Taylor then moved for leave to bring in a Bill to incorporate *The Carleton Mining Company*.

Leave granted.

Read a third time as engrossed,

A Bill in addition to and in amendment of an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

When

When the Honorable Mr. Johnston moved the following amendment, to be added thereto by way of Ryder, and to stand as a ninth Section, viz:—

“IX. And be it enacted, That this Act may be altered or amended by any Act or Acts to be passed in this Session of the Legislature.”

And the same being thrice read, and the question put thereon, it was agreed to by the House to be made part of the Bill by way of Ryder.

The final question was then taken, that the Bill with the Ryder do now pass and be sent to the Council for their concurrence.

Whereupon the House divided as follows:—

## YEAS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Taylor,  
M<sup>r</sup>Almon,  
Allen,  
End,  
Weldon,  
Partelow,  
J. M. Wilmot,  
Barlow,  
Brown.  
L. A. Wilmot.  
M<sup>r</sup>Leod,  
H. T. Partelow,  
Hayward,  
Wyer,  
Stewart.

## NAYS.

Mr. Palmer,  
Wilson,  
Jordan.  
Hanington,  
Woodward,  
Connell,  
Beardsley,  
Freeze,  
Gilbert,  
Hill,  
Fisher,  
Thomson.

So it passed in the affirmative.

*Ordered*, thereupon, That the Honorable Mr. Johnston take the Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Crane, from the Deputation appointed in 1837 to proceed to England, charged with important matters involving the interests of the Province, submitted a report of his proceedings, from the 6th of April last, the day of the departure of his colleague, Mr. L. A. Wilmot, from London.

*Ordered*, That the same do form a part of the Appendix to the Journals of the present Session.

[*See Report, Appendix, No. 9.*]

Mr. Beardsley, by leave, presented a Petition from Maria Niles, praying the Provincial allowance for teaching a School at Woodstock in the County of Carleton, from the 1st August, 1836, to the 1st January, 1837; which he read.

*Ordered*, That the same be received, and referred to the Select Committee on School Petitions.

On motion of Mr. L. A. Wilmot,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to order to be prepared and laid before this House at as early a day as possible, a return of the lots, tracts and parcels of Land granted to or reserved for Churches and Schools in this Province, specifying in what County the said lots are respectively situated, and setting forth the dates of the said grants or reservations, with the number of acres in each.

*Ordered*, That Mr. L. A. Wilmot, Mr. Hayward and Mr. M<sup>r</sup>Leod, be a Committee to wait upon His Excellency with the Address.

Mr. Partelow informed the House that he had prepared several Resolutions, predicated upon the Address that he presented to the House on the 10th instant from the *Constitutional Association of the City of Montreal*, and having read the same, they were laid on the Table for the perusal of Members, preparatory to their being taken into consideration at a future day.

Mr.

Mr. Connell moved for leave to bring in a Bill, to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton.

Leave granted.

Mr. Barlow, by leave, presented a Petition from John Keillor, Esquire, and 39 others, of Westmorland, praying a grant may pass in aid of individual subscription, towards the building of a public Wharf at Dorchester Island in the said County; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Barlow, a Member for the City of Saint John, applied for leave of absence for a few days, important business requiring his attendance.

Which was granted.

On motion of Mr. Wyer,

That the House do now go into Committee of the whole, on a Bill to erect a part of the Parish of Saint George in the County of Charlotte, into a separate and distinct Town or Parish.

Upon the question it was decided in the negative.

Mr. Barlow moved for leave to bring in a Bill, to continue the Act relative to the Streets and Squares in the City of Saint John.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Partelow,

Whereas certain oaths are required to be taken and subscribed by subjects of Her Majesty, as qualifications for the enjoyment of many offices, franchises and civil rights: And whereas in the opinion of this House, such oaths are not considered necessary or expedient to be any longer exacted in this Province; therefore,

*Resolved*, That an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to direct that the exaction of such oaths, in order to such enjoyment, may be dispensed with; and further

*Resolved*, That a Committee be appointed to prepare the said Address.

*Ordered*, That Mr. Partelow, Mr. L. A. Wilmot and Mr. Brown, do compose the Committee.

The House adjourned until to-morrow morning at 10 o'clock.

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### Thursday, 18th January, 1838.

#### *Prayers.*

The Honorable Mr. Johnston, by leave, presented a Petition from Mordacai Starkey, of Wickham, and Barnet Manzors, of Waterborough in Queen's County, old Soldiers in the Revolutionary War, praying aid in their indigent circumstances; which he severally read.

*Ordered*, That they be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Thomson, by leave, presented a Petition from Thomas Wood, of Saint George in the County of Charlotte, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. M'Leod, by leave, presented a Petition from John M'Donald, of Springfield in King's County, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. H. T. Partelow, by leave, presented Petitions from Benjamin M'Donald of Sheffield, and Armion Hubble, of Burton in the County of Sunbury, old Soldiers in the same War, praying like aid; which he severally read.

*Ordered*, That they be received, and referred to the same Committee.

Mr. L. A. Wilmot, by leave, presented a Petition from Charles Foster, of Brighton in

in the County of Carleton, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That the said Petition be received, and referred to the same Committee.

Read a second time,

A Bill sent from the Council, intituled "An Act in addition to the Act for defining the crime of Forgery:" also

A Bill to continue the Act relative to the Streets and Squares in the City of Saint John: and

A Bill for altering the time of holding the June Term of the General Sessions of the Peace and Inferior Court of Common Pleas for the County of York.

Mr. Beardsley, a Member for the County of Carleton, applied for leave of absence for a few days, public business requiring his attendance in the County.

Which was granted.

Mr. Weldon, by leave, presented a Petition from John Wheten, Esquire, and 37 others, of the County of Kent, praying that an Act may pass incorporating certain persons by the name of *The President, Directors and Company of the Miramichi Bank*; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from the Woodstock and Fredericton Stage Coach Company, praying Legislative aid towards the support of that establishment; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Weldon, by leave, presented a Petition from John Wheten, Esquire, and 159 others, of the County of Kent, praying that the line of Road explored between Richibucto River and the head of the Grand Lake, may be opened; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee to whom were referred the report and exploration from Hugh J. Hansard, Esquire, of that line of Road.

Mr. Connell moved for leave to bring in a Bill, to authorize the Magistrates of the County of Carleton to levy an assessment to pay off the County debt.

Leave granted.

Mr. M'Leod, by leave, presented a Petition from John Cook, a licensed Teacher, praying the Provincial allowance may be granted him for teaching a School at Westfield in King's County, for a period of six months, ending in November 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. L. A. Wilmot, by leave, presented a Petition from Edward Pick, of Fredericton in the County of York, late a Sergeant in the Royal Artillery, setting forth his long services, and that by the recent arrangements of the Government in this Province he is excluded from a free grant to 200 acres of Land, which he would have been otherwise entitled to, and praying for relief in the premises; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Wyer,

The House went into Committee of the whole, in further consideration of a Bill to incorporate *The Saint Andrews Water Company*.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again before them, the Committee had agreed to the same, under the title of a Bill to incorporate sundry persons by the name of *The Saint Andrews Water Company*.

*Ordered*, That the Report be accepted, and the Bill engrossed, under the amended title.

On motion of Mr. M'Leod,

The House went into Committee of the whole, on a Bill to amend an Act, intituled  
"An



"An Act for the endowment of King's College, at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same Act relates to the Grammar School in King's County.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, had made amendments thereto, and then agreed to the same, under the title of "A Bill relating to the Grammar School in King's and Queen's Counties."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Brown moved for leave to bring in a Bill, in addition to an Act, intituled "An Act for the incorporation of *The Saint John and Saint Croix River Canal Company*."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor, by leave, presented a Petition from William M'Pherson and Alexander Forbes, of Saint Mary's in the County of York, praying to be remunerated loss sustained in the performance of a contract for working a part of the Great Road from the Nashwaak to the Miramichi; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Partelow,

The House went into Committee of the whole, on the Address from the *Montreal Constitutional Association*,

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the matter referred to them, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, acquainted the House that the Council had passed a Bill, intituled "An Act for the amendment of the Law with respect to Wills;" to which they desire the concurrence of the Assembly.

The said Bill was then read a first time.

Mr. Weldon moved for leave to bring in a Bill, to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company.

Leave granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to alter the division line between the Parishes of Douglas and Stanley in the County of York.

Mr. Cornell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. End, pursuant to leave, brought in a Bill to provide for the expenses of the Legislature, and for other purposes therein mentioned; which was read a first time.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, on the subject of an accurate survey of the coasts of the Bay of Fundy, reported, that they had attended thereto, and that His Excellency was pleased to say that he would have much pleasure in attending to the wishes of the House on the subject of the said Address.

Mr. L. A. Wilmot, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of yesterday, on the subject of Church and School Lands, reported, that they had attended to that duty, and that His Excellency was

was pleased to say that he would order the required information to be laid before the House.

The Honorable Mr. Crane, by command of His Excellency, laid before the House various documents relative to King's College, as required by the Address of the House to His Excellency of the 13th instant, viz. :—

Account of income and expenditure ;  
 List of debts due from ;  
 List of do. do. to ;  
 Statement of Lands owned by ;  
 List of number and names of Professors and Lecturers ;  
 List of do. do. Students ;  
 Statement of Professors and Tutors fees ;  
 Copy of Statutes, Rules and Ordinances.

And the Honorable Mr. Crane communicated to the House, that the Registrar of the College, the Honorable Mr. Street, was absent from Fredericton, and that immediately on his return the copy of the Charter would be furnished.

[See Documents in Appendix, No. 10.]

On motion of Mr. Brown,

*Resolved*, That the several Petitions presented to the House, praying an amendment in the College Charter, as also the several Documents now communicated, be referred to a Select Committee to report thereon; and

*Ordered*, That Mr. Brown, the Honorable Mr. Crane, Mr. L. A. Wilmot, Mr. End and Mr. Woodward, do compose the Committee.

The House adjourned until to-morrow morning at 10 o'clock.

### Friday, 19th January, 1838.

*Prayers.*

Read a second time,

A Bill sent from the Council, intituled "An Act for the amendment of the Law with respect to Wills:" also

A Bill in addition to an Act, intituled "An Act for the incorporation of *The Saint John and Saint Croix River Canal Company*:"

A Bill to provide for the expenses of the Legislature, and for other purposes therein mentioned: and

A Bill to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company.

Mr. J. M. Wilmot, pursuant to leave, brought in a Bill more effectually to regulate the Ferry and public Landing in front of Indian Town, in the Parish of Portland and County of Saint John; which was read a first time.

Mr. Hill moved for leave to bring in a Bill, relating to Bank Notes and other evidences of debt.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. M'Leod, by leave presented a Petition from Eneas Lapee, of Sussex in King's County, an old Soldier in the Revolutionary War, praying aid in his present indigent circumstances; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions under consideration.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on the several Messages received from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the several Messages under their consideration,

consideration, had passed a number of Resolutions, and having read the same, they were then handed in at the Clerk's Table, where they were again read, and are as follow :

1. *Resolved*, as the opinion of this Committee, That the accounts and documents relative to the Casual and Territorial Revenues, sent down by Message from His Excellency on the 4th instant, should be referred to the Committee on Public and Private Accounts.

2. *Resolved*, as the opinion of this Committee, That the House should be in possession of such parts of the Right Honorable Lord Glenelg's Despatch, No. 34, as relates to the salary of the Commissioner of Crown Lands and Surveyor General.

3. *Resolved*, as the opinion of this Committee, That the Message of His Excellency of the 5th instant, recommending the passing of a Law for vesting property occupied for the Ordnance service, in the principal Officers of that Department, should be referred by the House to a Select Committee to report a Bill for that purpose.

4. *Resolved*, as the opinion of this Committee, That the documents and accounts laid before the House on the 5th instant, by command of His Excellency, connected with the contemplated line of Rail Road between Quebec and Saint Andrews, should be referred to the Committee on Public and Private Accounts to report thereon.

5. *Resolved*, as the opinion of this Committee, That the Despatch of the Right Honorable Lord Glenelg, No. 34, of the 21st September last, relative to the establishment of the Board of Audit, should afford very great satisfaction to the House, and be viewed as a pleasing instance of the disposition of Her Majesty's Government to consult the interests and opinions of the loyal people of this Province.

6. *Resolved*, That while this Committee appreciate the motives and applaud the anxiety evinced by His Excellency in the formation of the provisional Board of Audit, they are nevertheless of opinion that it is inexpedient for the House to sanction the establishment of that Board at the present time.

7. *Resolved*, as the opinion of this Committee, That the subject of an Audit Department should be referred by the House to a Select Committee to report thereon.

8. *Resolved*, as the opinion of this Committee, That a Select Committee should be appointed by the House to prepare and bring in a Bill for affording relief to those persons whose Lands have been escheated for non-payment of Quit Rents.

9. *Resolved*, as the opinion of this Committee, That the Message of His Excellency relative to the Royal Road, with the plan and report of the exploration, should be referred to a Select Committee to report thereon.

10. *Resolved*, as the opinion of this Committee, That the several reports respecting the Great Road from Fredericton to Saint Andrews, and the Road from the Nashwaak in the Parish of Saint Mary's to the lower line of the County of York, laid before the House by command of His Excellency on the 11th instant, should be referred to the Committee appointed to take into consideration what sums it may be expedient to grant for the improvement of the Roads throughout the Province.

11. *Resolved*, That in the opinion of this Committee, that part of the Right Honorable the Secretary of State's Despatch of the 10th May last, upon the subject of an amendment in the Mutiny Act in reference to the penalty for purchasing Soldiers necessaries, should be referred to a Select Committee to report thereon by Bill or otherwise.

12. *Resolved*, as the opinion of this Committee, That the Message of His Excellency, of the 12th instant, on the subject of making provision for contingencies at the Secretary's office, with the documents accompanying it, should be referred to the Committee of Supply.

13. *Resolved*, as the opinion of this Committee, That His Excellency's Message of the 16th instant, with the documents accompanying it, be referred to the Committee appointed to take into consideration the state of the Fisheries of this Province, and to report thereon.

14. *Resolved*, as the opinion of this Committee, That the Message of His Excellency of the 16th instant, relative to a recommendation for providing a Messenger for the Executive Council, be referred to the Committee of Supply.

The Chairman then further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr.

Mr. Partelow then moved several Resolutions predicated upon those passed when in Committee on the Messages from His Excellency.

*Resolved*, That the information sought for by the second Resolution, requiring information with regard to the salary of the Commissioner of Crown Lands and Surveyor General, be respectfully prayed for from His Excellency.

*Resolved*, That a Select Committee be appointed under the third Resolution, relative to the vesting of property in the Officers of the Ordnance Department.

*Ordered*, thereupon, That Mr. L. A. Wilmot, Mr. Weldon, Mr. End and Mr. Hill, do compose the Committee.

*Resolved*, That a Select Committee be appointed under the seventh Resolution upon the subject of an Audit Department.

*Ordered*, thereupon, That Mr. L. A. Wilmot, the Honorable Mr. Johnston, the Honorable Mr. Crane, Mr. Wyer and Mr. Weldon, do compose the Committee.

*Resolved*, That a Select Committee be appointed under the eighth Resolution to prepare a Bill affording relief to individuals whose lands have been escheated for non-payment of Quit Rents.

*Ordered*, That Mr. L. A. Wilmot, Mr. Fisher, Mr. End and Mr. Hill, be a Committee therefor.

*Resolved*, That a Committee be appointed to carry into effect the ninth Resolution relative to the Royal Road.

*Ordered*, That the Honorable Mr. Crane, Mr. H. T. Partelow, Mr. Gilbert, Mr. Brown and Mr. M'Leod, do compose the Committee.

*Resolved*, That a Select Committee be appointed to carry into effect the eleventh Resolution, relating to the Mutiny Act.

*Ordered*, That Mr. Allen, Mr. Wyer and Mr. M'Leod, do compose the Committee.

Mr. Wyer, pursuant to leave, brought in a Bill to provide for the further increase of the Capital Stock of the Charlotte County Bank, and to amend and continue the Act for incorporating the said Bank ; which was read a first time.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to

The Bill in addition to an Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same : and

The Bill to provide for the erection of Fences with gates across the Highways on Deer Island, in the Parish of West Isles in the County of Charlotte.

Mr. Connell moved for leave to bring in a Bill, to alter the boundary line between certain Parishes in the County of Carleton.

Leave granted.

Mr. Fisher moved for leave to bring in a Bill, relating to Public Landings and Squares in Fredericton.

Leave granted.

Mr. Stewart, by leave, presented a Petition from Arthur Ritchie and Company, of Dalhousie in the County of Gloucester, Merchants, praying the drawback may be granted them on Rum exported to Lower Canada in March last ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Allen, by leave, presented a Petition from Thomas Lee, of Fredericton in the County of York, late a Sergeant in the Rifle Brigade, praying that in consideration of his long services he may obtain the usual grant of Land allowed to discharged Soldiers ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. L. A. Wilmot, by leave, presented a Petition from Thomas M'Elwain, of Fredericton, late a Sergeant in the 43d Regiment, with a like prayer, for a grant of Land ; which he read.

*Ordered*, That this Petition be also received, and lie on the Table.

The Honorable Mr. Johnston, by leave, presented a Petition from Elizabeth Coal, of  
R
Queen's

Queen's County, widow of the late David Coal, a Soldier in the Revolutionary War, praying aid ; which he read.

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions into consideration.

Mr. Brown, by leave, presented a Petition from Josephus Moore, Alexander Campbell and others, Members of the Saint John and Saint Croix River Canal Company, praying an amendment in their Act of Incorporation ; which he read.

*Ordered*, That the said Petition be received, and lie on the table.

The Honorable Mr Johnston moved for leave to bring in a Bill, to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish.

Leave granted.

Mr. Wyer, by leave, presented a Petition from Robert Watson, Deputy Treasurer, at Saint Stephens in the County of Charlotte, praying to be reimbursed expenses incurred in the defence of an action instituted against him by William Eills for an alleged assault when in discharge of the duties of his office ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. L. A. Wilmot gave notice that he would on Tuesday next the 23d instant, move an humble Address to His Excellency the Lieutenant Governor, on the subject of the appointment of a Master of the Rolls in this Province.

The House adjourned until to-morrow morning at 10 o'clock.

### **Saturday, 20th January, 1838.**

#### *Prayers.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

#### **"New Brunswick.**

*"Message to the House of Assembly, 19th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor directs to be laid before the House of Assembly a Plan and Report of John Wilkinson, Esquire, who had been appointed to make an exploration and survey of a line of Road from Woodstock to Oak Bay, and recommends the same to the favorable consideration of the House.

"J. H."

[*See Report, Appendix, No. 6.*]

Mr. Partelow, by leave, presented a Petition from James T. Hanford, of the City of Saint John, Merchant, praying the drawback may be allowed him on two puncheons of Rum exported to Nova Scotia in the year 1836 ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, also by leave, presented a Petition from the Mayor, Aldermen and Commonalty of the City of Saint John, praying that an Act may pass for the establishment of a more efficient Nightly Watch in the said City, and that power be given to authorize a larger assessment for the support thereof ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow moved for leave to bring in a Bill, more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes.

Leave granted.

The said Bill being brought in, was read a first time.

Read a second time,

A Bill to provide for the further increase of the Capital Stock of the Charlotte County Bank, and to amend and continue the Act for incorporating the said Bank : A

A Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town in the Parish of Portland and County of Saint John: and

A Bill relating to Bank Notes and other evidences of debt.

Mr. Wyer, by leave, presented a Petition from Thomas Sime, and others, Commissioners of the Poor for the Town of Saint Andrews in the County of Charlotte, praying to be reimbursed expenses incurred in the support of Emigrants and transient poor in the Parish of Saint Andrews; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying a grant may pass to reimburse the Overseers of the Poor for the Parish of Portland, for expenses incurred in the support and relief of Black Refugees during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Thomson, by leave, presented a Petition from John E. Messinett, and Hugh M'Callum, Overseers of the Poor for the Parish of Saint George in the County of Charlotte, praying to be reimbursed expenses incurred in the support of the poor Emigrants in that Parish, during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. M'Leod, by leave, presented a Petition from Edward T. Whitman, of Kingston in King's County, a licensed teacher, praying the Provincial allowance for teaching a School at that place for six months, ending in July 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Thomson, by leave, presented a Petition from Benjamin Parker, Joseph Holmes and 70 others of the Parishes of West Isles, Pennfield and Saint George, in the County of Charlotte, praying that a bounty may be granted to poor Fishermen on fish actually taken in British waters; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking under consideration the Fisheries of the Province.

Mr. L. A. Wilmot, by leave, presented a Petition from James Allan, and 19 others, English Emigrants, settlers at Stanley in the County of York, on Lands belonging to the Nova Scotia and New Brunswick Land Company, setting forth the gross misconduct of the said Company, and praying relief; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee, appointed on the 10th instant, to investigate the Petition of James M'Kinnon and others, Scotch settlers on the same Lands, to report thereon

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed expenses paid towards the support and relief of sick, indigent and distressed Emigrants in the City and Parish of Saint John, during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Jordan, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that the Overseers of the Poor for the Parish of Portland may be reimbursed advances made towards the support and relief of sick, indigent and distressed Emigrants in that Parish, during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hill, by leave, presented a Petition from Patrick Clinch, Esquire, and 29 others, Mill owners and inhabitants of Magaguadavic in the County of Charlotte, praying a grant may pass towards removing obstructions from the Magaguadavic River above the Forks thereof, as also from the Piskehagon, a branch of the said River; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Hill moved for leave to bring in a Bill, to divide the County of Charlotte into two Counties.

Leave granted.

The said Bill being brought in, was read a first time.

Mr.

Mr. Hill moved for leave to bring in a Bill, to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation therein mentioned.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Weldon, by leave, presented a Petition from Dominique Robicheau, and William Dixon, Overseers of the Poor for the Parish of Wellington in the County of Kent, praying to be reimbursed expenses incurred for the support of transient poor in the said Parish; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Wyer, by leave, presented a Petition from Stephen Pine, and 11 others, Branch Pilots at the Port of Saint Andrews in the County of Charlotte, praying an amendment in the Law relating to Pilots; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Trade.

Mr. Stewart, by leave, presented a Petition from Hugh Ramsay, and Archibald Ramsay, of Dalhousie in the County of Gloucester, Merchants, praying to be reimbursed amount expended in clearing out the west branch of the main South East Upsalquitch Stream, as also in opening a Road from the same to the North West Branch of the said River; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

The Honorable Mr. Johnston moved for leave to bring in a Bill, to prevent the obstructing of the navigation of the Newcastle Stream in Queen's County,

Leave granted.

Mr. Connell, by leave, presented a Petition from John N. Simonson, and Benjamin Churchill, Trustees of Schools for the Parish of Wakefield in the County of Carleton, praying the Provincial allowance may be granted to enable them to remunerate William Gray for teaching a School in that Parish during the past year; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

The House adjourned until Monday morning next at 10 o'clock.

### **Monday, 22d January, 1838.**

#### *Prayers.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

#### **"New Brunswick.**

*"Message to the House of Assembly, 18th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor represents to the House of Assembly, that there exists at present a great inconvenience and defect in the administration of Justice in this Province, arising from the manner of conducting the business of the Court of Chancery. The Lieutenant Governor is under the necessity of delegating the exercise of his Judicial functions as Chancellor to the Judges of the Supreme Court. This arrangement presents the incongruity of the common Law and Equity jurisdictions being vested in the same persons while these two systems of Jurisprudence depend upon principles and are administered in modes widely differing from each other. This incongruity is strikingly exemplified in the case, by no means uncommon, of the Court of Chancery being called upon to restrain proceedings in the Supreme Court. Great difficulties and delays also are constantly occurring to suitors from the want of a Judicial Officer, whose time and attention may be distinctly and uninterruptedly devoted to the business of the Court of Chancery.

"As the Province increases in population and wealth, the objects which require the remedial interposition of this Court, without which the administration of the Common Law is entirely inadequate to fulfil the demands of Justice, are daily increasing both in number and importance. The same circumstances have also operated to produce a corresponding

corresponding increase in the number and importance of the cases litigated in the Supreme Court, and thus to render it exceedingly difficult, if not impracticable, for the Judges of that Court to bestow that attention upon the business of the Court of Chancery which it so imperatively requires.

"The Lieutenant Governor earnestly recommends that he may be enabled to supply this deficiency in the Judicial establishment of the Province by a permanent provision being made for a Master of the Rolls, an officer well known in the institutions both of the Mother Country and of the Colonies, as an assistant to the Chancellor, and authorised to hear causes when he is not present.

"The Lieutenant Governor is of opinion that the duties and station of a Master of the Rolls would require that his income should be made equal to that of a Puisne Judge of the Supreme Court.

"J. H."

Read a second time the following Bills:—

A Bill to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation therein mentioned:

A Bill to divide the County of Charlotte into two Counties: and

A Bill more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes.

Read a third time as engrossed,

A Bill to incorporate sundry persons by the name of *The Saint Andrews Water Company*.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to alter the division line between the Parishes of Douglas and Stanley, in the County of York.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill relating to the Grammar Schools of King's and Queen's Counties.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. M'Leod take the said Bill to the Council, and desire their concurrence thereto.

Mr. Partelow, by leave, presented a Petition from James T. Hanford, of Saint John, Merchant, praying drawback on a puncheon of Rum and on a hogshead of Sugar exported to Annapolis in Nova Scotia, in January 1837; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, also by leave, presented a Petition from the President and Directors of the New Brunswick Assurance Company, praying that an Act may pass to amend the Law incorporating the said Company; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow moved for leave to bring in a Bill, to amend an Act, intituled "An Act to incorporate sundry persons by the name of *The New Brunswick Marine Assurance Company*."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Woodward, by leave, presented a Petition from John Kerr and Edmund Kaye, Agents for the owners of the Barque James Lemon, praying for return of extra head money paid by them on Passengers brought into Saint John, in that vessel, from Cork, in August last; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee for taking such Petitions under consideration.



Mr. Wyer, by leave, presented a Petition from Edmund Kaye, Cyrus Stockwell, M. H. Perley, and Charles Leving, on behalf of the Saint Andrews and Saint John Stage Company, praying that the same may be incorporated; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. H. T. Partelow, by leave, presented a Petition from John M'Claskey, praying remuneration for loss sustained under contract in making a part of the Road from Fredericton to Magaguadavic in the year 1836; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Wyer moved for leave to bring in a Bill, for the incorporation of *The Saint Andrews and Saint John Stage Company*.

Leave granted.

Mr. End, pursuant to leave, brought in a Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits," which was read a first time.

Mr. Street, by leave, presented a Petition from Margaret Merry, of Newcastle in the County of Northumberland, a licensed Schoolmistress, praying the Provincial allowance for teaching a School for one year, ending in July 1836; which he read.

*Ordered*, That the same be received, and referred to the Select Committee on School Petitions.

Mr Partelow moved for leave to bring in a Bill, to amend the Act incorporating the New Brunswick Fire Insurance Company.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Street moved for leave to bring in a Bill, in addition to and in amendment of "An Act for the endowment of King's College, at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the County of Northumberland.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Taylor, by leave, presented a Petition from John M'Lauchlan, of Fredericton in the County of York, a licensed Teacher, praying the Provincial allowance for teaching a School in the said Parish for one year, ending in August 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. Street, by leave, presented a Petition from Roderick M'Leod, praying a bounty for the erection of an Oat Mill in the Parish of Alnwick in the County of Northumberland; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on the Agricultural interests of the Province.

Mr. Wilson, by leave, presented a Petition from Ichabod Lewis, William Steadman, Solomon Trites, and 15 others, of the County of Westmorland, praying Legislative aid to enable them to discharge a debt incurred in erecting a free Meeting House at the Bend of the Peticodiac River; which he read.

And upon the question, that the said Petition be received, and referred to the Committee of Supply, it was decided in the negative.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that an Act may pass authorising them to erect and establish a House of Correction in the said City or within any of the adjoining Parishes, and for other purposes as stated in the said Petition; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow moved for leave to bring in a Bill, to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same.

Leave

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Weldon, by leave, presented a Petition from the Reverend James Steven, Robert Ferguson, Alexander Adams, John Adams, and 78 others, Minister, Elders, Trustees and Members of the Scotch Church at Campbelltown and Dalhousie in the County of Gloucester, in connexion with the established Church of Scotland, praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee appointed to take into consideration the several Petitions and documents relating to King's College.

Mr. Freeze, by leave, presented a Petition from Donald M'Grigor, of Sussex in King's County, praying aid towards building an Oat Mill; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on the Agricultural interests of the Province.

Mr. Wyer, by leave, presented a Petition from Harris Hatch, John Wilson, Robert W. Crookshank, James Kirk, and 41 others, praying a grant to assist in running a Mail Coach between Saint Andrews and Saint John; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Hayward, by leave, presented a Petition from William M'Dougal, late a Sergeant in the 43d Regiment, Light Infantry, praying the usual free grant of Land as allowed to discharged Soldiers upon their settlement in the Colony; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from John V. Thurgar, of Saint John, Merchant, praying the drawback on a puncheon of Rum exported to Nova Scotia in November 1836; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street, by leave, presented a Petition from John Hamilton, of Newcastle in the County of Northumberland, praying the Provincial allowance for teaching a School from 8th April to 8th September 1837, prior to the time of receiving his license; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Street, also by leave, presented a Petition from Jane Davidson, of Nelson in the County of Northumberland, praying the usual Provincial allowance for teaching a School for the year ending August 1835; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. M'Leod, by leave, presented a Petition from John C. Vail, Esquire, and others, Magistrates, together with John King, and 82 others, Freeholders of King's County, praying an increase of Representation for the said County; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. M'Leod moved for leave to bring in a Bill, to increase the Representation of King's County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, to authorise the Magistrates of the County of Charlotte to impose a tax on dogs.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, by leave, presented a Petition from W. D. W. Hubbard, of Saint John, one of the appraisers of dutiable goods within said City, appointed under Act of Assembly, praying that Legislative provision may be made for his services in that capacity; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Trade.

Mr. L. A. Wilmot, by leave, presented a Petition from John Wilson, Esquire, and

1500 others, Magistrates, Clergymen and Inhabitants of the Province, praying that a grant may pass towards liquidating the debt due for the erection of the Baptist Seminary in Fredericton ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. End, by leave, presented a Petition from the Justices of the Peace for the County of Gloucester, praying a grant for the relief of William Gilmour, a sick and maimed Emigrant ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Palmer, by leave, presented four several Petitions :—from Joseph Robinson, Isaac Turner, Joseph S. Bennett, and 40 others ; Hugh M'Kinley, Samuel Kilpatrick, George Alcorn, and 75 others ; John Rogers, S. G. Morse, William Dickson, and 30 others ; and William A. Peck, William Read, Benjamin Carter, and 56 others ; praying that the Parish of Hopewell in the County of Westmorland, may be divided into three separate and distinct Parishes.

And having severally read the same,

*Ordered*, That they be received, and lie on the Table.

Mr. Freeze, by leave, presented a Petition from John King, Samuel Coates, and 16 others, of Sussex in King's County, praying aid to remove obstructions out of Smith's Creek, so called, in that Parish ; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. Fisher moved for leave to bring in a Bill, to provide for the payment of such non-commissioned Officers and Privates of the Militia, as have performed or may hereafter perform Garrison duty in this Province, during the absence of Her Majesty's Troops.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Jordan, by leave, presented a Petition from C. L. Hatheway, T. L. Carman, G. Clowes, Esquire, and others, Justices of the Peace for the County of Saint John, residing at Lancaster, together with 15 others of the said Parish, praying that no alteration may be made in the Great Road leading through that Parish ; and further, that the sum appropriated for the purpose of making the alteration be re-appropriated and expended on the present Road ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. End, by leave, presented a Petition from John Busteed and Nicholas W. Busteed, of Fredericton in the County of York, proprietors of a clothing establishment at that place, setting forth that great damage had been done to their property by some persons unknown, and praying to be indemnified for the loss sustained ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Hanington, by leave, presented a Petition from Joshua Chappell, of Bay Verte in the County of Westmorland, praying aid to assist him in running a Stage between that place and Jolicure in the same County ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from Moses H. Perley, Esquire, of Saint John, Barrister at Law, setting forth that in July 1835, he became a purchaser of 80,000 acres of Crown Land subject to certain conditions, upon which purchase he paid the sum of £500 deposit, that upon obtaining a plan of the district where the land was supposed to be situate, it was discovered that only about three quarters of the quantity so purchased could be surveyed to him, and this decreased quantity in detached and scattered blocks, which destroyed the objects originally contemplated by your Petitioner ; that he consequently abandoned the purchase, and on requesting to have the deposit money refunded, he was officially informed that the same was forfeited ; he therefore prays that an investigation may take place into the allegations set forth, by which he hopes to receive such relief in the premises as to the House may seem meet.

And he having read the same

*Ordered*, That it be received, and lie on the Table.

Mr.

Mr. Allen, by leave, presented a Petition from Henry George Clopper, Esquire, and others, Commissioners of the Alms House for the County of York, praying to be reimbursed expenses incurred in support of poor and distressed Emigrants during the year ending 31st December last; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Allen, also by leave, presented a Petition from Henry George Clopper, Esquire, praying to be refunded amount advanced in relieving distressed Seamen of the brig Caroline, wrecked at Caraquet Island, and towards forwarding them to Saint John; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Connell, by leave, presented a Petition from Edward Poynter, of Jackson Town Settlement in the County of Carleton, praying aid to build an Oat Mill at Cold Water Brook; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee to inquire into the Agricultural interests of the Province.

Mr. Fisher, by leave, presented a Petition from the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, together with George J. Dibblee, and others, holding leases under the Corporation, praying that an Act may pass to enable the said Corporation to give titles in fee simple to the Lands so leased; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Fisher moved for leave to bring in a Bill, to enable the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, to alienate certain Lands belonging to that Corporation.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Palmer, by leave, presented a Petition from Isaac Turner, Reuben Stiles, James Brewster, and 247 others, of Hopewell and Hillsborough, in the County of Westmorland, praying that the Western part of the said County may be erected into a separate and distinct County; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Palmer moved for leave to bring in a Bill, for the division of the County of Westmorland into two Counties, and to provide for the government and representation of the new County.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. End, by leave, presented a Petition from Charles Coughlan and Duncan Hay, of Caraquet in the County of Gloucester, relative to the Deep Sea Herring Fisheries on that Coast, and praying that the same may be protected by Legislative enactment; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee to take under consideration the several matters connected with the Fisheries of the Province.

Mr. L. A. Wilmot, by leave, presented a Petition from Hugh Mackay, Esquire, and 800 others, Freeholders of the County of Charlotte, praying that the consideration of the Petition of William FitzWilliam Owen, Esquire, and others, complaining of the undue Election and return of Robert Thomson, Esquire, as a Member for the said County, may be postponed until witnesses can be adduced on behalf of the sitting Member; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. L. A. Wilmot, also by leave, presented a Petition from John Wilkinson, and 110 others, Freeholders of the said County of Charlotte, with a like prayer as regards the Petition of William FitzWilliam Owen, complaining of the undue Election and return of Robert Thomson, Esquire, as a Member for the said County; which he read.

*Ordered*, That the said Petition be also received, and lie on the Table.

Mr. Weldon moved for leave to bring in Bill, to compel persons to vaccinate their children in certain cases.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Hill moved for leave to bring in a Bill, in addition to an Act, intituled "An Act relating to the Great Roads of communication through this Province."

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Street, by leave, presented a Petition from Joshua Knight, of the County of Charlotte, praying that further time may be allowed for entering into the recognizance required before prosecuting the Petition of himself and others against the Election for that County; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Street,

*Resolved*, That the prayer of the said Petition of Joshua Knight be complied with, and the Petitioners against the Election of the County of Charlotte be now allowed to enter into the recognizance required by the Act of Assembly in cases of controverted Elections.

Mr. Woodward, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying that an Act may pass for the erection of an Alms House, Work House and Public Infirmary, and authorising an assessment for that purpose; also praying a grant in aid to assist in the erection thereof; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Woodward moved for leave to bring in a Bill, to provide for the erection of an Alms House and Work House, and establishing a Public Infirmary in and for the City and County of Saint John.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Fisher, by leave, presented a Petition from Nathaniel O'Donnell, a Truckman, of Fredericton in the County of York, praying a return of duty on ninety nine gallons of Rum destroyed by accident in November last; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Fisher, by leave, presented a Petition from Henry G. Clopper, William J. Bedell, Abraham T. Coburn, Thomas R. Robertson, and others, of the Town of Fredericton in the County of York, praying that an Act may pass relating to Public Landings and Squares in the said Town; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Fisher, pursuant to leave, brought in a Bill relating to Public Landings and Squares in Fredericton; which was read a first time.

Mr. Palmer, by leave, presented a Petition from Isaac Turner, Rueben Stiles, James Brewster, and 61 others, Merchants and Shipowners in the County of Westmorland, praying a grant may pass towards the erection of a Light House on Cape Enrage in the Bay of Fundy.

*Ordered*, That the said Petition be received, and referred to the Committee on Light Houses.

Mr. Allen, by leave, presented a Petition from William Woodford, M. D., of Fredericton in the County of York, praying compensation for services performed in vaccinating the Poor in various parts of the County; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Connell, pursuant to leave, brought in a Bill in amendment to an Act, intituled "An Act to regulate Tavernkeepers and Retailers;" which was read a first time.

The Honorable Mr. Johnston, pursuant to leave, brought in a Bill to prevent the obstructing of the navigation of the Newcastle Stream in Queen's County; and A

A Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish; which were severally read a first time.

Mr. Brown, by leave, presented a Petition from Alexander Campbell, Timothy Crocker, and James Albee, Commissioners of Highways for the Parish of Saint Stephens in the County of Charlotte, and J. H. Whitlock, David Mowat, and Samuel Watts, Commissioners for Saint Andrews, together with 130 others, Inhabitants of the said County, praying alterations in the Road between those Parishes; and that a sum may be granted towards making the same; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from George Brown and James Moran, two of the Justices of the Peace for the City and County of Saint John, residing at the Parish of Saint Martin's in the said County, together with George Marr, and 137 others, Freeholders and Inhabitants of the said Parish, praying that any Act which may pass during the present Session for the erection of an Alms House in that County. may not be extended to that Parish.

Mr. Partelow, also by leave, presented a Petition from G. Clowes Carman, Archibald Menzies, and Charles L. Hatheway, Esquires, Justices of the Peace for the City and County of Saint John, residing in the Parish of Lancaster, together with 34 others, inhabitants of that Parish, with a like prayer.

And having severally read the same,

*Ordered,* That they be received, and lie on the Table.

A Message from His Excellency the Lieutenant Governor, by Isaac Woodward Jouett, Esquire, Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned,

The Honorable Mr. Speaker reported, that His Excellency had been pleased to give his assent to—

The Bill in addition to an Act, intituled "An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same."

Mr. Wilson, by leave, presented a Petition from John C. Beckwith, a licensed Teacher, praying the Provincial allowance for teaching a School in the Parish of Hopewell in the County of Westmorland, from August 1834, to October 1835; which he read.

*Ordered,* That the said Petition be received, and referred to the Select Committee on School Petitions.

Mr. J. M. Wilmot, by leave presented a Petition from the Reverend Robert Wilson, together with Robert Rankin, James Kirk, E. W. Greenwood, Minister, Elders, Trustees and Members of Saint Andrew's Church at Saint John, in connexion with the Established Church of Scotland, and others, praying for a modification of the Charter of the Madras Institution in this Province; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Thomson, by leave, presented a Petition from W. H. Mowat, Hugh Cavin, and 80 others, of Saint Andrews in the County of Charlotte, praying that no alteration be made in the line of Road between Saint Stephen's and that place; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from L. A. Wilmot, Esquire, Barrister at Law, praying compensation for loss of time and for his services in the late Deputation to England; which he read.

*Ordered,* That the said Petition be received, and referred to the Committee of Supply.

Mr. Palmer, by leave, presented a Petition from the Honorable William Botsford, and others, of the County of Westmorland, praying a grant may pass in aid of individual subscription towards building an Aboideau over the Au Lac River in said County; which he read.

*Ordered,* That the said Petition be received, and referred to the Committee of Supply.  
Mr.

Mr. Fisher, by leave, presented a Petition from James Swim and William Swim, the carriers of the Mail between Fredericton and Miramichi, praying some further aid towards running a line of Stages on that route ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Fisher, by leave, presented a Petition from John Brewer, George Sutherland, James Campbell, Joseph Murray, and others, Freeholders and Inhabitants of Kingsclear and other Parishes in the County of York, praying an alteration may be made in that part of the Canada Great Road lying between Camber's Creek and M'Kean's ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Taylor, by leave, presented a Petition from James A. Maclauchlan, Esquire, the Honorable Thomas C. Lee, and William Tyng Peters, Esquire, Commissioners for Indian affairs, praying some further grant towards the assistance of the Milicete Tribe, to relieve them in their distress ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, by leave, presented a Petition from the Justices of the Peace for the City and County of Saint John, praying to be reimbursed for expenses incurred in the support of the temporary Lunatic Asylum during the past year ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Palmer, by leave, presented a Petition from Joseph Robinson, and others, of Hopewell in the County of Westmorland, setting forth that a Public Wharf on the Shepody River would be of great benefit to the commercial and lumbering interests in that place, and praying a grant in aid towards building the same ; which he read.

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

Mr. M'Leod, by leave, presented a Petition from Gould Pickett, Esquire, Philip Dann, and 28 others, of Kingston in King's County, praying an alteration in the Great Road leading from the head of Belisle to Saint John ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Fisher, by leave, presented a Petition from Patrick Burke, of Kingsclear in the County of York, praying to be remunerated loss sustained in performance of contract for making certain parts of the Road leading from Fredericton to Saint Andrews ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from Alexander M'Grotty, Samuel Jordan, and 11 others, Surveyors of Lumber in the City of Saint John, praying an alteration in the Lumber Law, for the reasons stated in the said Petition ; which he read.

*Ordered*, That the said Petition be received, and referred to the Select Committee on the Lumbering interests of the Province.

Mr. Brown moved for leave to bring in a Bill, to amend an Act, intituled "An Act relating to the Great Roads of Communication through this Province."

Leave granted.

Mr. Brown, by leave, presented a Petition from Tristram Moore, Esquire, the Reverend Skeffington Thomson, Israel I. Andrews, and others, of the Parishes of Saint Stephen, Saint David and Saint James, in the County of Charlotte, praying that a grant may pass towards the relief of several distressed families in those Parishes ; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Return from the New Brunswick Marine Assurance Company, shewing the aggregate amount of risks taken, and the amount of premium thereon since July last, together with a list of Stockholders.

[See Appendix, No. 1.]

And

And he also, by command of His Excellency, communicated extracts from the Despatch of the Right Honorable the Secretary of State for the Colonies to His Excellency, (No. 34) pursuant to the request of the House of the 19th instant, which are as follows:—

Extract, No. 34.

*“ Downing Street, 21st September, 1837.*

“ But there is one consequence of this change to which you do not expressly advert, though I am persuaded that it did not escape your notice; by transferring from Mr. Baillie the receipt of so large a part of the public Revenue, that gentleman has been relieved from no inconsiderable labour, and from a responsibility of a most arduous nature, in fact the functions left to him are little else than those of Surveyor General. It might have been said that the arrangement supersedes the necessity of maintaining the office of Commissioner of Crown Lands at all. Mr. Baillie's remaining duties would be more aptly described if he should be designated merely as Surveyor General.

“ Be that as it may, the new regulation of this office seems to involve the necessity of a corresponding reduction in its emoluments. Her Majesty's present Government have acted invariably, both in this Kingdom and in the Colonies, upon the principle of abolishing at once all unnecessary offices, instead of maintaining them during the lives of the actual holders. This rule it is manifest applies with equal force, whether the office is to be abolished in all or only in part of its functions; the only difference is, that there must in the one case be a total and in the other a partial saving of the salary. The principle to which I have adverted is indeed connected with another, that namely of making to the reduced officer some reasonable compensation for the disappointment of his prospects. This regulation is, I think, dictated quite as much by an enlarged view of economy as by a sense of justice and feelings of compassion.

“ It appears to me, therefore, that the great change which has been introduced in the nature of Mr. Baillie's office, renders some reduction of his income inevitable; but that it ought not to be exactly proportioned to the extent of the duties and responsibilities of which he is relieved, I would propose a diminution which should still leave him an income more than adequate to the remuneration of his remaining duties, because I do not think that he should be subjected to this sudden and unexpected privation without being to a certain extent compensated for the disappointment. I do not attempt to determine what the extent of the reduction should be; you will consult the Executive Council on the subject so soon as that body shall be completed by the addition of the members, in favor of whom warrants are about to be issued under the Royal Sign Manual.

(Signed) “ GLENELG.”

Major General Sir JOHN HARVEY, K. C. H. &c. &c. &c.

A true copy.

H. B. PAULIN, in the absence of the Private Secretary.

Mr. L. A. Wilmot, by leave, presented a Petition from Xenophon Jouett, Esquire, setting forth his very long services as Gentleman Usher of the Black Rod, and which situation, from his advanced age, he was obliged to resign, and praying remuneration in consequence thereof; which he read.

*Ordered,* That the said Petition be received, and referred to the Committee.

Mr. Jordan, by leave, presented a Petition from Robert F. Hazen, Esquire, and 34 others, Freeholders at the Loch Lomond Settlement, in the Parish of Portland and County of Saint John, praying a grant may pass towards opening and completing a new line of Road commencing at the Forks of the old Westmorland and Marsh Roads, and thence in a straight line to the said Loch Lomond Settlement; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Connell, by leave, presented a Petition from W. H. Needham, on behalf of the Carleton County Abstinence Convention, together with James Killen, and 150 others, Inhabitants of the said County, praying that measures may be adopted to prevent the use of ardent Spirits; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Partelow, by leave, presented a Petition from the New Brunswick Fire Insurance Company, praying certain alterations in their Act of Incorporation; which he read.

*Ordered,* That the said Petition be received, and lie on the Table.

Mr. Wyer, by leave, presented a Petition from James Rait, of Saint Andrews in the County of Charlotte praying a remission of duty may be granted him on Passengers brought into that Port by the Robert Watt, from Cork, in July last; which he read.

*Ordered,* That the said Petition be received, and referred to the Select Committee for taking such Petitions into consideration.

Mr. Fisher, by leave, presented a Petition from Richard Bartlett, of the Schooner Dove, praying the drawback on a puncheon of Rum, lost by accident in the month of May 1836, when taking the same on board for Fredericton; which he read.



And upon the question that the said Petition be received, and referred to the Committee of Supply, the House divided—

YEAS, 11.

NAYS, 10.

When it was carried in the affirmative.

Mr. Hill, by leave, presented a Petition from Robert Lindsay, David Upton, and John Marks, Overseers of the Poor for the Parish of Saint Stephens in the County of Charlotte, praying a grant may pass to reimburse expenses incurred in the support of transient poor in that Parish; which he read.

*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Fisher, by leave, presented a Petition from Richard M'Farlan, of Fredericton in the County of York, with plans of proposed Fishways to be erected on streams obstructed by the building of Mill dams, and praying Legislative aid to enable him to prove the efficacy of such Ways; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Taylor, by leave, presented six, several Petitions, viz.:—from Alexander M'Kenzie, William M'Pherson, Donald M Donald, David Bruce, John Kennedy, and James Ross, of Saint Mary's in the County of York, old soldiers in the Revolutionary War, praying aid in their distressed circumstances.

And he having severally read the same,

*Ordered*, That they be received, and referred to the Select Committee for taking such Petitions under consideration.

Mr. Brown, by leave, presented a Petition from Patience Hasty, of Saint Stephens in the County of Charlotte, on behalf of her husband, an old Soldier in the same War, who is now very aged, and deprived of both his sight and reason, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. M'Leod, by leave, presented a Petition from Ralph London, Senior, of Westfield in King's County, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. Wyer, by leave, presented three several Petitions, viz.:—from Dugald Clarke, of Saint Andrews in the County of Charlotte, and Peter M'Callum, and John Black, of Saint Patrick in the said County, old Soldiers in the same War, praying like aid.

And he having severally read the same,

*Ordered*, That they be received, and referred to the same Committee.

Mr. Freeze, by leave, presented a Petition from Enoch Groom, of Hampton in King's County, as also a Petition from William Wright, of Sussex in the same County, old Soldiers in the same War, praying like aid; which he read.

*Ordered*, That these Petitions be also received, and referred to the same Committee.

Mr. Fisher, by leave, presented Petitions from Abigail Sutherland, and Catharine Stewart, of Saint Mary's, in the County of York, widows of John Sutherland and James Stewart, old Soldiers in the same War, praying like aid; which he read.

*Ordered*, That these Petitions be received, and referred to the same Committee.

Mr. Allen, by leave, presented a Petition from Joseph Madgett, of Kingsclear in the County of York; also a Petition from William Mills, of Douglas, in the same County; and a Petition from Lyman Gray, of Dumfries in the said County, old Soldiers in the same War, praying like aid; which he read.

*Ordered*, That these Petitions be received, and referred to the same Committee.

Mr. Gilbert, by leave, presented a Petition from Charles Phely, of New Canaan in Queen's County, an old Soldier in the same War, praying like aid; which he read.

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr. L. A. Wilmot, by leave, presented a Petition from Jarvis Worden, of Queen's County, an old Soldier in the same War, praying like aid; and also

A Petition from Mary Horton, of Saint Mary's in the County of York, widow of the late

late Lieutenant John Horton, who served in the same War, praying aid from her very limited circumstances.

And having severally read the same,

*Ordered*, That they be likewise received, and referred to the same Committee.

The House adjourned until to-morrow morning at 10 o'clock.

## **Tuesday, 23d January, 1838.**

### *Prayers.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr Shore, by command of His Excellency, delivered the following Messages:—

### **“New Brunswick.**

*“Message to the House of Assembly, 22d January, 1838.*

“J. HARVEY, LT. GOVERNOR.

“Impressed with the great importance to a new Country of a good system of Road making, the Lieutenant Governor desires to invite the attention of the Legislature to this subject; and in doing this, he would observe, that the system recently introduced in Ireland of employing salaried officers to superintend the construction and repair of the Great Roads, has been found to work better and more economically than committing the outlay to persons residing on the spot, and temporarily appointed for that purpose.

“The division of the Province into Road Districts, and the appropriation of a sum for enabling the Executive Government to appoint a salaried Superintendent or Head Surveyor for the whole Province, and a Deputy to each District, are the measures which the adoption of this suggestion, if concurred in, would appear to render expedient.

“J. H.”

### **“New Brunswick.**

*“Message to the House of Assembly, 22d January, 1838.*

“J. HARVEY, LT. GOVERNOR.

“The Lieutenant Governor feels it to be his duty to invite the attention of the Legislature to the state of insecurity of the Public Records of the Province, and to recommend the erection of some Building for the safe deposit of the Provincial Archives; and further, to suggest for their consideration, whether such a structure might not be made to include, in addition to the offices for the principal officers of the Province, improved accommodation for the Legislative Bodies.

“J. H.”

### **“New Brunswick.**

*“Message to the House of Assembly, 22d January, 1838.*

“J. HARVEY, LT. GOVERNOR.

“As intimately connected with the development of the resources of the Province, the Lieutenant Governor represents to the House of Assembly the advantages which would, in his judgment, attend even a partial Geological survey or exploration of certain sections or districts of it, for the purpose of obtaining upon more correct data than he apprehends at present to exist, a more accurate knowledge of the mineral treasures with which the Province is believed to abound.

“If the House should concur in this view, it would be expedient to make such an appropriation as may enable the Executive Government to engage a proper person to commence the exploration at as early a period as may be practicable.

“J. H.”

### **“New Brunswick.**

*“Message to the House of Assembly, 22d January, 1838.*

“J. HARVEY, LT. GOVERNOR.

“In laying before the Legislative Council and House of Assembly, copy of a Report which has been addressed to him by Doctor Peters, in charge of the Institution formed temporarily

temporarily at Saint John, for the reception of Pauper Lunatics, the Lieutenant Governor earnestly desires to invite their attention to a subject possessing such strong claims upon their humane and compassionate consideration.

"It may be sufficient for the Lieutenant Governor to advert to the acknowledged fact, one established by all experience, that a large proportion of these unhappy cases become confirmed and incurable for want of an early separation from exciting causes and of proper treatment.

" J. H."

[See *Dr. Peters' Report, Appendix, No. 11.*]

On motion of Mr. Weldon,

*Resolved*, That the Order of the Day for going into consideration of the Petition of Joshua Knight and others, complaining of the undue Election and Return for the County, of Charlotte, be discharged.

On motion of Mr. Weldon,

*Ordered*, That the House do on Thursday next go into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor.

Mr. Brown, pursuant to leave, brought in a Bill to amend an Act relating to the Great Roads of Communication throughout this Province; which was read a first time.

Mr. Brown, by leave, presented a Petition from the Reverend John Dunn, James Taylor, Church Meigs, Asa Foster, and Oliver Worster, on behalf of the Inhabitants of Grand Manan, praying pecuniary Legislative aid towards the erection of a Mill for the manufacture of Flour and Oatmeal; which he read.

And upon the question, that the said Petition be received, and referred to the Committee of Supply, it was decided in the negative.

Mr. Street moved for leave to bring in a Bill, to continue certain Acts relating to the Fisheries in the County of Northumberland, that are near expiring.

Leave granted.

The said Bill being brought in, was read a first time.

Read a second time the following Bills :—

A Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County into a separate and distinct Town or Parish :

A Bill to prevent the obstructing of the navigation of the Newcastle Stream in Queen's County :

A Bill in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers :"

A Bill relating to Public Landings and Squares in Fredericton :

A Bill to provide for the erection of an Alms House and Work House, and establishing a Public Infirmary in the City and County of Saint John :

A Bill in addition to an Act, intituled "An Act relating to the Great Roads of Communication throughout this Province :"

A Bill to compel persons to vaccinate their children in certain cases :

A Bill for the division of the County of Westmorland into two Counties, and to provide for the government and representation of the new County :

A Bill to enable the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, to alienate certain Lands belonging to that Corporation :

A Bill to authorise the Magistrates of the County of Charlotte to impose a tax on dogs :

A Bill to increase the representation of King's County :

A Bill to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same :

A Bill in addition to and in amendment of "An Act for the endowment of King's College, at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the County of Northumberland :

A Bill to amend the Act incorporating the New Brunswick Fire Insurance Company :

A Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits :"

A Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of *The New Brunswick Marine Assurance Company*:" and

A Bill to provide for the payment of such non-Commissioned Officers and Privates of the Militia as have performed or may hereafter perform Garrison duty in this Province, during the absence of Her Majesty's Troops.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act in addition to the Act for defining the crime of Forgery."

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of Mr. Street,

The House went into Committee of the whole, in further consideration of a Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank*.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, made several amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

#### **"New Brunswick.**

*"Message to the House of Assembly, 22d January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"In inviting the attention of the Legislature to the important subject of Education, the Lieutenant Governor is desirous of expressing his conviction of the great advantage of obtaining for the rising generation of this Province, an early extension to them of those improved principles of instruction which are in such successful operation in England. The Lieutenant Governor alludes more especially to the system which is pursued by the British and Foreign School Society of London; from which Institution the Lieutenant Governor has reason to believe that it would not be difficult to procure, on very moderate terms, persons qualified to give instruction in that system to the Teachers of the elementary Schools of the Province; by which, particularly by the system of mental calculation, the most rapid and astonishing development of the youthful mind is effected with little apparent effort.

"The Lieutenant Governor would further recommend the provision, at the public expense, of a sufficient number of Class Books for the elementary Schools of the Province, printed in England, or reprints from English publications; feeling all the importance of cherishing in the minds of the Youth of the Province, sounder principles of loyalty and attachment to the Parent State, as well as higher and juster ideas of Her power and moral greatness, than are likely to be instilled by publications emanating from a foreign Press.

"J. H."

Mr. Fisher, by leave, presented a Petition from the President, Directors and Company of the Tobique Mill Company, praying that the House will recommend a grant to pass to them of a portion of the land purchased from the Crown, at the River Tobique; which he read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Connell, by leave, presented a Petition from John Bedell, Junior, Esquire, and others, of Woodstock in the County of Carleton, praying an Act may pass authorising certain Streets to be laid out of less than four rods in width; which he read.

And the Rule of the House with regard to introducing Petitions, being also in this instance dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Brown,

*Resolved*, That the several Petitions both for and against alterations in various Roads, as well as those praying remuneration for monies advanced in opening and repairing, and for loss sustained in performance of certain contracts on Roads, which have been presented to the House and ordered to lie on the Table, be now referred to a Select Committee to examine and report thereon.

*Ordered*, That Mr. Hayward, Mr. M'Leod, Mr. Street, Mr. L. A. Wilmot, Mr. Stewart and Mr. Jordan, do compose the said Committee.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation therein mentioned.

Mr. L. A. Wilmot in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, agreed to the same with an amendment, under the title of "A Bill to limit the amount of Stock to be holden in any Banking Corporation in this Province."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Wyer, pursuant to leave, brought in a Bill for the incorporation of *The Saint Andrews and Saint John Stage Company*; which was read a first time.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill relating to Bank Notes and other evidences of debt.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

"That the further consideration thereof be postponed for three months."

And upon the question the Committee divided.

YEAS, 13.

NAYS, 10.

Whereupon it was carried in the affirmative.

*Ordered*, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 24th January, 1838.

#### *Prayers.*

Read a second time,

A Bill for the incorporation of the Saint Andrews and Saint John Stage Company:

A Bill to amend an Act relating to the Great Roads of Communication through this Province: and

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring.

The Honorable Mr. Johnston, Chairman of the General Committee on Roads, submitted a Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to inquire into the state of all the Roads of Communication in the Province, and to report what sums it may be necessary to grant for repairing and improving, as well the Great as Bye Roads, have had under their consideration the subject of the Bye Roads, and recommend that the sum of £15,000 be granted for the Bye Roads in the several Counties, and apportioned as follows, viz:

"For

---

“For the County of York.....			£1480
Do.	do.	Carleton.....	1480
Do.	do.	Queen’s.....	1380
Do.	do.	Gloucester.....	1200
Do.	do.	Westmorland.....	1680
Do.	do.	Charlotte.....	1630
Do.	do.	King’s.....	1580
Do.	do.	Saint John.....	1180
Do.	do.	Kent.....	1010
Do.	do.	Sunbury.....	825
Do.	do.	Northumberland.....	1555

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£15,000

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“ HUGH JOHNSTON,  
J. R. PARTELOW,  
J. W. WELDON,  
GEORGE HAYWARD,  
WILLIAM END,  
W. WILSON,  
J. A. STREET,  
JAMES BROWN, Junior,  
SAMUEL FREEZE.

“ *Committee Room, 24th January, 1838.*”

*Ordered*, That the Report be accepted; and

On motion of Mr. Hayward; further

*Ordered*, That the said Report be referred to the Committee of Supply.

According to the Order of the Day, the Bill sent from the Council, intituled “An Act in addition to the Act for defining the Crime of Forgery;” was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. L. A. Wilmot do return the Bill to the Council, and acquaint them therewith.

Read a third time as engrossed,

A Bill to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation in this Province.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Hill do take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Wyer,

The House went into Committee of the whole, in further consideration of a Bill further to amend an Act, intituled “An Act to authorise the Grand Jurors in the several Counties within this Province to inspect the Public Accounts.”

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again before them, they had made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill in addition to and explanatory of an Act, intituled “An Act to regulate proceedings before Justices of the Peace in Civil Suits.”

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Weldon,

*Resolved*, That information should be laid before this House of all tracts of Land reserved

reserved for the use of the Indians in this Province, where situated, the time such reserves were made, the nature of the reserves and the particular Tribes of Indians for whose benefit such reserves were respectively made.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill to provide for the further increase of the Capital Stock of the Charlotte County Bank, and to amend and continue the Act for incorporating the said Bank.

Mr. End in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Report from Benjamin L. Peters, Esquire, of exploration made on a new line of Road, from the bridge in Norton to the Church in Hampton in King's County; also

Report from Jacques Daigle, a Commissioner appointed for the exploration of a Road from Point Sapin.

[*See Appendix, No. 6.*]

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to erect part of the Parish of Northesk in the County of Northumberland, into a separate and distinct Parish.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same, under the title of "A Bill to erect part of the Parish of Northesk in the County of Northumberland, into a separate and distinct Town or Parish."

*Ordered*, That the Report be accepted, and the Bill engrossed, under the amended title.

Mr. Connell, a Member for the County of Carleton, applied for leave of absence for a few days, public business requiring his attendance in his County.

Which was granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Thursday, 25th January, 1838.

#### *Prayers.*

Read a third time as engrossed,

A Bill to erect part of the Parish of Northesk in the County of Northumberland, into a separate and distinct Town or Parish.

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank.*

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill further to amend an Act, intituled "An Act to authorise the Grand Jurors in the several Counties within this Province, to inspect the Public Accounts."

*Resolved*, That this Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Mr.

Mr. Partelow, by leave, presented a Petition from Nehemiah Merritt, L. H. De Veber, John Kinnear, John Hastings, Thomas Nisbet, and 80 others, Freeholders and Inhabitants of the City of Saint John, praying an amendment to the Act for the more effectual prevention of Fires within the said City; which he read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That it be received, and lie on the Table.

Mr. Partelow then moved for leave to bring in a Bill, further to amend an Act for the more effectual prevention of Fires within the City of Saint John.

Leave granted.

On motion of Mr. Wyer,

The House went into Committee of the whole, in further consideration of a Bill to provide for the further increase of the Capital Stock of the Charlotte County Bank, and to amend and continue the Act for incorporating the said Bank.

Mr. End in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, and several Sections thereof being agreed to, an amendment was moved to be added as a fourteenth Section, viz. :—

“XIV. And be it enacted, that the President of the said Bank shall not be the Solicitor of the same.”

And upon the question, the Committee divided—

YEAS, 5.

NAYS, 13.

Whereupon it was decided in the negative.

That the Committee then, after making various amendments thereto, agreed to the same, under the title of “A Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same.”

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intitled “An Act for the amendment of the Law with respect to Wills.”

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Barlow,

The House went into Committee of the whole, on a Bill to continue the Act relating to the Streets and Squares in the City of Saint John.

Mr. Jordan in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill to provide for the assessment of County and Parish Rates.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill to authorise the Magistrates of the County of Charlotte to impose a tax on dogs.



Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made amendments thereto, and then agreed to the said Bill, under the title of "A Bill to authorise the Magistrates of the Counties of Charlotte and Northumberland respectively, to impose a tax on dogs."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

The Honorable Mr. Crane, from the Committee to whom was referred the subject of Postage, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to inquire into the subject of Postage, to be afforded to Members of the Legislature, report, that they have attended to that duty, and from inquiries which they had made, and communications which they have had with the Postmaster, are of opinion, that the franking system at present in operation should forthwith be discontinued, and that hereafter the Members of the Legislature should be required to pay their own Postage, or account with the Postmaster for the same, and that the House should make provision therefor at the close of the Session, by including all such expenses in the contingent Bill.

"WILLIAM CRANE, *Chairman*.

"Committee Room, 25th January, 1838."

*Ordered*, That the Report be accepted.

On motion of the Honorable Mr. Crane,

*Resolved*, That it is necessary that directions should be given to have the survey of the tract of Land, purchased by the New Brunswick and Nova Scotia Land Company, completed without delay.

On motion of Mr. Fisher,

*Resolved*, That it is the opinion of this House, that a particular statement of all Lands granted to, reserved for, or holden by the Ordnance Department in this Province, with the dates of their respective grants, reservations or first occupations thereof, particularly specifying and describing the different lots of Land by their numbers and bounds, be laid before the House,

The House adjourned until to-morrow morning at 10 o'clock.

### Friday, 26th January, 1838.

*Prayers.*

On motion of Mr. Partelow,

*Resolved*, That the Petition of Moses H. Perley, Esquire, presented to the House on the 22d instant, praying to be refunded the sum of £500 deposit money, paid at the Crown Land Office on purchase of Land, be referred to a Select Committee to investigate and report thereon.

*Ordered*, That the Honorable Mr. Crane, Mr. L. A. Wilmot and Mr. Hill, do compose the said Committee.

Mr. Hill moved for leave to bring in a Bill, the more effectually to prevent the abuse of Banking privileges.

The Rule of the House limiting the time for bringing in Bills, being in this instance dispensed with,

Leave was granted.

The said Bill being brought in, was read a first time.

Mr. Thomson moved for leave to bring in a Bill, to provide for the payment of Grand and Petit Jurors in the several Counties in this Province.

The like Rule of the House being in this instance dispensed with,

Leave was granted.

The said Bill being brought in, was read a first time.

On

On motion of Mr. End,

*Ordered*, That the House do on Wednesday next, the 31st instant, go into Committee of the whole on the State of the Province.

It being the time appointed for taking into consideration the Petition of Thomas Odber Miles, Esquire, complaining of the undue Election and return of Henry T. Partelow, Esquire, as a Member for the County of Sunbury, and praying a scrutiny of the votes polled at the said Election.

The Members being called in, the doors were then locked, and the House counted, when twenty four being present.

*Ordered*, That the parties be heard at the Bar.

Whereupon the Petitioner appeared by L. A. Wilmot, Esquire, as his Counsel, and the Honorable Edward B. Chandler, and George F. S. Berton, Esquire, as Counsel on behalf of the sitting Member.

The Order of the Day was then read, when the names were drawn to the number of eleven, and Nominees appointed as is directed by the Act regulating controverted Elections and returns of Members to serve in General Assembly.

The doors being then unlocked, the drawn lists were delivered to the Counsel for the respective parties, and the same being struck, a reduced list of the Members so drawn, with the Nominees added thereto, was then handed in, when the following appeared as the Members of the Committee :—

The Honorable William Crane.	
John Jordan,	} Esquires.
Daniel Hanington,	
George S. Hill,	
William M'Leod.	

NOMINEES :

James Brown, Junior, Esquire, for Petitioner,  
John W. Weldon, Esquire, for sitting Member ;

Who being called to the Clerk's Table, were there duly sworn well and truly to try the matters of the said Petition referred to them, and a true judgment to give thereon according to the evidence.

On motion of Mr. Partelow,

*Ordered*, That the said Committee do meet forthwith in the Supreme Court Room, and proceed in the investigation of the several matters alleged in the said Petition.

Lists of the Committee sworn, together with copies of the foregoing order were then delivered to the respective Counsel ; and the Counsel were then ordered to withdraw.

On motion of the Honorable Mr. Crane,

*Resolved*, That the Members of this House do pay for the postage of Letters received and sent by them through the Post Office during the remainder of the present Session, and furnish an account of the same, to be provided for.

Mr. Hanington, from the Agricultural Committee, submitted their Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows :—

"The Committee appointed to take into consideration all matters which may in any way affect the agricultural interests of the Province, report, that they have had under their consideration the several Petitions referred to them, praying encouragement for the erection of Oat Mills and Kilns, and recommend that the further sum of One thousand pounds be appropriated for that purpose, under the same regulations which were in the grant for that purpose in the year 1831.

"Your Committee are also of opinion, that it would in some measure lessen the difficulties under which the agriculturists now labour for want of proper implements of husbandry, if a certain number of the most approved of the following description were imported, to serve as models, viz. :—

One Winnowing Machine ;  
One hand Threshing Machine ;  
Eleven Straw cutting Machines.

The

"The winnowing machine and the handthreshing machine to be placed at Saint John or Fredericton, and one straw cutting machine to be placed at the Shire Town in each County, in such place as the Justices of the Peace for the respective Counties may provide.

"Your Committee have also had under their consideration, the propriety and expediency of granting a small bounty on certain descriptions of grain raised on new land, and also upon Timothy, Grass and Clover Seeds; and being convinced that great benefit would be derived therefrom, they have prepared a Bill for that purpose, under the title of 'A Bill for granting bounties for the encouragement of Agriculture.'

"All which is respectfully submitted.

"D. HANINGTON, *Chairman*.

"Committee Room, 28th January, 1838."

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee being then handed in, was read a first time.

Read a third time as engrossed,

A Bill to continue the Act relative to the Streets and Squares in the City of Saint John.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Barlow take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorise the Magistrates of the Counties of Charlotte and Northumberland respectively, to impose a tax on dogs.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. End,

The House went into Committee of the whole, in further consideration of a Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, had made an amendment thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to continue certain Acts relating to the Fisheries in the County of Northumberland.

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of the two Acts of Assembly to the same.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill to them referred, they had agreed to the same.

*Ordered*, That the report be accepted, and the Bill engrossed.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act to incorporate sundry persons by the name of *The New Brunswick Marine Assurance Company*."

Mr.

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill for the incorporation of *The Saint Andrews and Saint John Stage Company*.

Mr. Thomson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill to them referred, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Wilson,

The House went into Committee of the whole, in further consideration of a Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again under consideration, they had made amendments thereto, and then agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill for altering the time of holding the June Term of the General Sessions of the Peace and Inferior Court of Common Pleas for the County of York.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill to alter, amend and in addition to an Act for the regulating, laying out and repairing Highways.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

“That the further consideration of the said Bill be postponed for three months.”

And upon the question the Committee divided, when it was carried in the affirmative.

*Ordered*, That the Report be accepted.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill to authorise the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made an amendment thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

The House adjourned until to-morrow morning at 10 o'clock.

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### Saturday, 27th January, 1838.

#### Prayers.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House:—

Abstract shewing the amount of monies received and paid on account of the Casual Revenue,

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Revenue, by the Honorable Thomas C. Lee, Receiver General, from the date of his accession to office, up to the 31st December last, furnished under the Address of the 13th instant.

[*See Appendix, No. 3.*]

Read a second time,

A Bill for granting bounties for the encouragement of Agriculture :

A Bill the more effectually to prevent the abuse of Banking Privileges : and

A Bill to provide for the payment of Grand and Petit Jurors in the several Counties in this Province.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes.

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Read a third time as engrossed,

A Bill to provide for the further increase of the Capital Stock of the Charlotte County Bank, and to amend and continue the Act for incorporating the said Bank.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Jordan,

The House went into Committee of the whole, on a Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under consideration, made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of a Bill sent from the Council, intituled "An Act for the amendment of the Law with respect to Wills."

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under consideration, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time on Monday next.

The House adjourned until Monday morning next at 10 o'clock.

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### Monday, 29th January, 1838.

*Prayers.*

Mr. End moved for leave to bring in a Bill, to authorise Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the purpose of paying off the County debt.

The Rule of the House limiting the time for bringing in Bills, being in this instance dispensed with.

Leave was granted.

The said Bill being brought in, was read a first time.

Read a third time as engrossed,

A Bill to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company.

*Resolved*, That the Bill do pass.

*Ordered*,

*Ordered*, That Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to amend an Act, intituled "An Act [to incorporate sundry persons by the name of *The New Brunswick Marine Assurance Company*."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Partelow take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Partelow take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed.

A Bill more effectually to provide for the support of a Nightly Watch in and for lighting the City of Saint John, and for other purposes.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Barlow take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland into a separate Town or Parish.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Wilson take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for the incorporation of *The Saint Andrews and Saint John Stage Company*.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to erect a part of the Parish of Portland into a separate and distinct Town or Parish.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Jordan take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for altering the time of holding the June Term of the General Sessions of the Peace and Inferior Court of Common Pleas for the County of York.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Allen take the said Bill to the Council, and desire their concurrence thereto.

According

According to the Order of the Day, the Bill sent from the Council, intituled "An Act for the amendment of the Law with respect to Wills," was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Weldon do return the Bill to the Council, and acquaint them therewith.

Mr. Wilson, by leave, presented a Petition from George Stevens, and 135 others, of Hillsborough and Coverdale, in the County of Westmorland, praying a division of the said County, and that those Parishes may form a part of the new County; which he read.

The Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Brown, by leave, presented a Petition from James Davidson, of Saint George in the County of Charlotte, an old Soldier in the Revolutionary War, praying aid in his distressed situation; which he read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That the said Petition be received, and referred to the Select Committee for taking such Petitions into consideration.

The Honorable Mr. Crane, by leave, presented a Petition from Angus M'Fee, of Sackville in the County of Westmorland, an old Soldier in the same War, praying like aid; which he read.

And the like Rule of the House being in this instance dispensed with,

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Street, by leave, presented a Petition from Alexander M'Lean, of Northesk in the County of Northumberland, an old Soldier in the same war, praying like aid; which he read.

And the like Rule being dispensed with,

*Ordered*, That the said Petition be received, and referred to the same Committee.

Mr. Street, by leave, presented a Petition from Matthew Caruthers, of Newcastle in the County of Northumberland, a licensed Teacher, praying the Provincial allowance for teaching a School, from August 1832 to June 1833; also

A Petition from David Creighton, of the same place, a licensed Teacher, praying the like allowance for teaching a School from December 1832 to June 1833; which he severally read.

And the like Rule being dispensed with,

*Ordered*, That these Petitions be received, and referred to the Select Committee on School Petitions

On motion of Mr. Hill,

*Resolved*, That in the opinion of this House, it is necessary that they be furnished with an official copy of the Lieutenant Governor's Commission; and also, of all the Royal Instructions, which have from the first establishment of the Province to the present time been sent out to the several Administrators of the Government of the Province, and now in force in the same.

Mr. Hayward, from the Committee to inquire into the Lumbering interests of the Province, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to take into consideration all matters affecting the Lumbering interests of the Province, report, that having attended to that duty, they are of opinion that the Order in Council respecting surveys made on the 12th of October last, will in its operation have a tendency to produce great confusion and litigation among lumberers; that the said Order ought therefore to be abolished, and that in future, persons wishing to obtain Licences to cut Timber on Crown Lands, should in each application be restricted to five hundred tons, or Timber and Saw Logs equal to that quantity; and that it is desirable that His Excellency the Lieutenant Governor, upon being furnished with a certificate from the Commissioner of Crown Lands, that the district applied for is vacant, should forthwith order a licence to be issued; and that

that thereupon, such applicant should be authorized immediately to commence operations within the district so licenced; and if such applicant should find it necessary to have the lines of his district run out, that then it should be the duty of any Deputy Surveyor upon whom such applicant might call, to attend without delay and run out such district according to the terms of the licence; the said applicant in the first instance bearing the expenses of the same, for which he should afterwards be allowed at the rate of three pence per ton for timber, and six pence per thousand for saw logs, applied for in such licence, to be deducted from the amount of tonnage duties payable by Law on the quantity so applied for.

“And it is the opinion of this Committee, that the most effectual and simple mode of obtaining the tonnage duties, would be to collect the same at the shipping ports, by requiring the exporter in all cases to pay the same prior to the clearing out of the vessel in which the timber or lumber may be shipped; and in order that all timber and lumber now on hand, or upon which the duties may have been paid or secured, as well as that which may hereafter be cut on private property or brought into this Province, may be exempted from the payment of such export duty, the shipper or exporter being required in all cases to produce and lodge with the proper officer appointed to collect such duties, a duly attested certificate, setting forth the quantity of such timber or lumber, and whether the same was cut on private property or brought into the Province, or had before been subjected to the payment of tonnage duties; and that the amount of duties for such quantity so certified should be deducted and allowed out of the whole amount of tonnage due for the cargo or quantity so shipped for exportation, and in cases where surveys shall be made, the amount of three pence per ton, or six pence per thousand, as the case may be, should in like manner be deducted from the tonnage duties of the quantity applied for in the districts where such surveys may have been made, on the production of the attested certificate of the Deputy Surveyor that the lines of the district were run out by him.

“And it is further the opinion of this Committee, that the services of an officer might be required at the River Restigouche, and the services of another officer on the River Saint Croix, under such instructions respectively as would secure the collection of the duties on any timber or lumber cut on Crown Lands in this Province, and which might afterwards be exported from Canada or the United States.

“Respectfully submitted.

“GEORGE HAYWARD,  
JAMES BROWN, JUN.  
HENRY T. PARTELOW,  
JAMES TAYLOR,  
J. A. STREET.

“Committee Room, 28th January, 1838.”

*Ordered*, That the Report be accepted; and

On motion of Mr. Hayward; further

*Ordered*, That the House do on Thursday next go into Committee of the whole in consideration of the said Report.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House:—

Abstract made up by the Provincial Board of Audit, shewing the state of the Casual and Territorial Revenues up to the 31st December last.

[See Appendix, No. 3.]

Also the following Letter from that Board:—

“Office of Audit, 27th January, 1838.

“SIR,

“We have the honor to acknowledge the receipt of your Letter, of this date, calling for information, why the Returns of the Casual Revenue, prayed for in the Address of the House of Assembly of 13th January, have not yet been furnished.

“Immediately on receipt of your Letter, of 17th instant, transmitting a copy of the Resolution of the Assembly, we prepared the Abstract as far as we were enabled from the documents in this Office, and at the same time, made a requisition for such further information from the Crown Land Office, as would enable



enable us to complete it, and this information, we have reason to believe, is in progress, and will be furnished with all practicable expedition.

"The Abstract as far as we have been enabled to complete it is now enclosed.

"We have the honor to be, Sir,

"Your very obedient Servants,

"F. P. ROBINSON,  
"H. G. CLOPPER.

The Hon. F. OUELLET,  
Provincial Secretary, &c. &c. &c.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill in addition to an Act, intituled "An Act for the incorporation of *The Saint John and Saint Croix River Canal Company*."

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill to them referred, they had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of the several Messages from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Messages again before them, had passed several Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow:—

1. *Resolved*, as the opinion of this Committee, That the plan and report of John Wilkinson, Esquire, the Commissioner appointed to explore and survey a line of Road from Woodstock to Oak Bay, sent down by Message from His Excellency on the 20th instant, should be referred by the House to a Select Committee to report thereon.

2. *Resolved*, as the opinion of this Committee, That the Message from His Excellency of the 18th instant, and which was sent down on the 22d, on the subject of making a permanent provision for a Master of the Rolls to be appointed for the Court of Chancery, should be referred by the House to a Select Committee, to report thereon by Bill or otherwise.

3. *Resolved*, That in the opinion of this Committee, the Message of His Excellency the Lieutenant Governor, relative to the erection of some building for the safe deposit of the Provincial Archives, should be referred by the House to a Select Committee, to report thereon.

To this Resolution an amendment was moved—to substitute the following in place thereof:—

*Resolved*, as the opinion of this Committee, That the Message of His Excellency of the 22d instant, on the subject of making provision for a building for the safe deposit of the Provincial Archives, and for other purposes, as are therein stated, should be referred to the Committee of Supply.

That upon the question for sustaining the same, the Committee divided as follows:

YEAS.

The Hon. Mr. Speaker,  
Mr. Thomson.

Wyer,  
M'Leod,  
Freeze,  
Barlow,  
J. M. Wilmot,  
Partelow,  
Jordan,  
Wilson,  
Gilbert,  
M'Almon.

NAYS.

The Hon. Mr. Crane,  
Mr. Palmer,  
Weldon,  
Street,  
Taylor.  
L. A. Wilmot,  
Fisher,  
H. T. Partelow,  
Hayward,  
Brown,  
Hill,  
Stewart.

And the division being equal, he had decided in the affirmative.

The

The Chairman then further reported, that he was directed to ask for leave to sit again.  
*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 30th January, 1838.

### Prayers.

On motion of Mr. Partelow,

*Resolved*, That a Select Committee be appointed, under the second Resolution passed in Committee of the whole House yesterday, when in consideration of the Messages from His Excellency the Lieutenant Governor, relative to the making permanent provision for a Master of the Rolls, with directions to report by Bill or otherwise.

*Ordered*, That Mr. Strect, Mr. End, Mr. Brown, Mr. Wyer and Mr. Woodward, do compose the Committee.

Mr. Partelow, by leave, presented a Petition from James Peters, William Scovil, Zalmon Wheeler, Thomas L. Nicholson, John Paddock, Esquires, and 169 others, Freeholders and Inhabitants of the City of Saint John, praying an amendment to the Act for the more effectual prevention of Fires within the said City; also

A Petition from Robert F. Hazen, Stephen Wiggins, Robert W. Crookshank, William Jarvis, E. D. W. Ratchford, Esquires, and 64 others, Freeholders and Inhabitants of the City of Saint John, praying that no alteration be made in the Law for the more effectual prevention of Fires within the said City; which he severally read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That they be received, and lie on the Table; and

On motion of Mr. Partelow,

*Resolved*, That these Petitions, as also one presented to the House on the 25th instant, from Nehemiah Merritt, and 80 others, be referred to a Select Committee to report thereon.

*Ordered*, That Mr. Partelow, Mr. Street and Mr. L. A. Wilmot, do compose the said Committee.

Mr. Connell, by leave, presented a Petition from the Justices of the Peace for the County of Carleton, praying that an Act may pass, authorising an assessment to pay off the County debt; which he read.

And the like Rule being dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Connell moved for leave to bring in a Bill, to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish.

The Rule for bringing in Bills being dispensed with,

Leave was granted.

The said Bill being brought in, was read a first time.

Read a second time,

A Bill to authorise Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the purpose of paying off the County debt.

On motion of Mr. Wyer,

*Ordered*, That Mr. Barlow be added to the Committee to report upon the several Petitions presented to the House, praying a return of duty paid on Emigrants.

Mr. Connell, pursuant to leave, brought in a Bill to authorize the Magistrates of the County of Carleton to levy an assessment to pay off the County debt; which was read a first time.

Mr. Connell, pursuant to leave, brought in a Bill to alter the boundary line between certain Parishes in the County of Carleton; which was read a first time.

Mr. Woodward, by leave, presented a Petition from Robert W. Crookshank, John Ward, Hugh Mackay, E. D. W. Ratchford, and 50 others, of the City of Saint John, praying

praying some Legislative provision for the encouragement of the Cod and other Fisheries by granting a bounty on vessels engaged therein; which he read.

And the Rule of the House limiting the time for introducing Petitions, being dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

Mr. Connell, pursuant to leave, brought in a Bill to alter and amend the Acts for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton; which was read a first time.

Mr. Fisher, by leave, presented a Petition from the Grand Jury of the County of Carleton, signed by Charles Raymond, as their Foreman, praying that no Act may pass to assess the said County for the payment of the County debt; also

A Petition from Thomas G. Cunliffe, and others, composing the Petit Jurors for the said County, with a like prayer; which he severally read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That they be received, and lie on the Table.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to The several Resolutions of Appropriation, dated the 6th and 9th instant.

And that they had also agreed to.

A Bill to authorise the extension of the Gaol Limits in the Parish of Fredericton, with amendments, to which they desire the concurrence of the House.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to prevent the obstructing of the navigation of the Newcastle Stream in Queen's County.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made amendments thereto, and then agreed to the said Bill, under the title of "A Bill for the better and more effectual securing the navigation of the Newcastle River in Queen's County."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Thomson, by leave, presented a Petition from Thomas H. Black, of Saint George in the County of Charlotte, a licensed Teacher, praying the Provincial allowance for teaching a School at Magaguadavic, for one year, ending the 1st November last; which he read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That the same be received, and referred to the Select Committee on School Petitions.

Mr. Barlow, by leave, presented a Petition from William Eagles, Barnes Travis, Robert James, and 61 others, of Saint John, praying a grant may pass towards improving the Navigation of the River Saint John, by removing the projection of Rock at the West Head opposite the Split Rock at the entrance of the said River; which he read.

And the like Rule being dispensed with,

*Ordered*, That the said Petition be received, and referred to the Navigation Committee.

On motion of Mr. M'Leod,

The House went into Committee of the whole, on a Bill to increase the Representation of King's County.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill before them, it was moved—

"That the further consideration thereof be postponed until the next Session of the General Assembly."

Whereupon

Whereupon the Committee divided as follows:—

## YEAS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
Mr. Stewart,  
Street,  
J. M. Wilmot,  
Barlow,  
Woodward,  
Taylor,  
L. A. Wilmot,  
Fisher,  
Hill,  
Hayward,  
Thomson.

## NAYS.

The Hon. Mr. Crane,  
Mr. Brown,  
Gilbert,  
M'Leod,  
Freeze,  
Beardsley,  
Connell,  
Jordan.  
Wilson.  
Allen,  
Weldon,  
Hanington,  
Palmer,  
M'Almon.

When it was decided in the negative.

The first Section thereof, which provides for the increased representation, was then taken into consideration, when amendments were severally moved to extend the provisions, by inserting the Counties of Northumberland and Carleton.

And upon the question being severally put, it was also decided in the negative.

It was then moved—

“That the further consideration of the Bill be postponed for six months.”

Whereupon the Committee again divided as follows:—

## YEAS,

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
Mr. Stewart,  
End,  
Street,  
J. M. Wilmot,  
Barlow,  
L. A. Wilmot,  
Taylor,  
Connell,  
Fisher,  
Woodward,  
Hayward,  
Thomson,  
Hill.

## NAYS,

The Hon. Mr. Crane,  
Mr. Brown,  
Wyer,  
Gilbert,  
M'Leod,  
Freeze,  
Beardsley,  
Weldon,  
Hanington,  
Wilson,  
Jordan,  
Palmer,  
M'Almon.

And so it was carried in the affirmative.

*Ordered*, That the Report be accepted.

Mr. Brown, from the Committee appointed to take into consideration the subject of the Fisheries, submitted a Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom were referred all matters connected with the Fisheries of this Province, report,

“That in pursuance of the duties to which they were appointed, they have made diligent inquiry into the state of the Fisheries generally, but more particularly into what has been usually termed “the deep sea Fisheries;” and, as the result of their enquiries, beg leave to state, that this branch of our Provincial resources, formerly deemed so valuable and important, is at present in a very depressed and unprofitable condition.

“This unfavorable state of the Fisheries is, in the opinion of the Committee, mainly attributable to two causes, viz: the want of protection, and the want of encouragement. With regard to the first of these causes, it is notorious that all our Fishing grounds are frequented and infested by great numbers of American Fishermen at all seasons of the year when Fishing is practicable, who, in our waters, drive a profitable business, which they prosecute with great spirit and zeal, setting our Laws at defiance with impunity.

At

To

To prevent practices so loudly and justly complained of, armed vessels have been by Government stationed on the Coast, but this, as a remedy, has hitherto proved ineffectual. Your Committee would therefore recommend the appointment of two small vessels, properly provided and stationed—one in the Bay of Fundy, and the other in the Gulf of Saint Lawrence, for the protection of the Fishing grounds.

“The want of public encouragement has tended in various ways to the injury of our Fisheries. The Americans give a bounty, equal to four dollars per ton, on all Vessels so employed; and having audaciously assumed the privilege of fishing in our waters as well as their own, our Fishermen are unable to give such high wages, and cannot therefore compete with them; for not only are the Americans, by aid of their bounty, enabled to fit out their Vessels, but, in fact, they do also induce many of our best Fishermen to engage in their employ; and the Committee are credibly informed, that out of seventy or eighty sail of Fishing Craft belonging to Eastport and Lubec alone, two thirds of their crews are our fellow subjects from Yarmouth, Grand Manan, Deer Island, &c. With a view to remedy this evil, the Committee have prepared a Bill for the encouragement of the Cod and Scale Fisheries, by granting bounties to persons engaged in the same.

“The Committee have had under their consideration, the Petition of Charles Coughlan and Duncan Hay, of the County of Gloucester, and have also, in conferences with those gentlemen, obtained much valuable information upon the state of the Fisheries on the eastern part of the Province, both with regard to the extent to which they might be prosecuted, and also with reference to the encroachments of the Americans; and are of opinion, that the importance of the object which they have in view is worthy of the careful consideration of the Legislature.

“Respectfully submitted.

“JAMES BROWN, JUN.  
THOMAS BARLOW,  
J. W. WELDON,  
I. WOODWARD.

“Committee Room, 30th January, 1838.”

Ordered, That the Report be accepted.

The Bill as reported by the Committee, intituled “A Bill to encourage the Inhabitants of this Province who are engaged in the Cod and Scale Fisheries;” was then read a first time.

Mr. Wyer, from the Committee to whom were referred the several Petitions praying return of duties paid on Passengers, submitted their Report, and having read the same, handed it in at the Clerk’s Table, where it was again read, and is as follows:—

“The Committee appointed to take into consideration the several Petitions for return of double head money duty paid on passengers, beg leave to report, that they have had the following under consideration, viz.:

“From Mackay, Brothers and Company, for the sum of £52 12 6, paid on Ship Champion.

From John Simkin, for the sum of £29 10 0, paid on Barque Recovery.

“ Robert Rankin and Company, for £19 10 0, paid on Brig Ann and Mary.

“ “ “ for £16 12 6, paid on Brig Isadore.

“ “ “ for £11 6 8, paid on Brig Susan and Jane.

“ “ “ for £36 12 6, paid on Brig Leslie Gault.

“ John Kerr and Edmond Kaye, for £38 15 10, paid on Barque James Lemon.

“ James Rait, for £66 0 0, paid on Ship Robert Watt.

“And having examined the merits thereof, recommend that the prayer of Petitioners be granted.

“With regard to the Petition of John Marshall, for return of £34 7 6, paid on Passengers per Brig Highlander, the Committee have doubts as to the propriety of recommending the prayer thereof, but refer the same to the decision of the House.

“All which is respectfully submitted.

“THOMAS WYER,  
THOMAS BARLOW,  
J. W. WELDON,  
HENRY T. PARTELOW.

“Committee Room, 30th January, 1838.”

Ordered,

*Ordered*, That the Report be accepted; and  
 On motion of Mr. Wyer, further,  
*Ordered*, That the said Report be referred to the Committee of Supply.  
 The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 31st January, 1838.

#### Prayers.

Read a second time the following Bills:—

A Bill to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton:

A Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish:

A Bill to alter the boundary line between certain Parishes in the County of Carleton:

A Bill to authorise the Magistrates of the County of Carleton to levy an assessment to pay off the County debt: and

A Bill to encourage the Inhabitants of this Province who are engaged in the Cod and Scale Fisheries.

Read a third time as engrossed,

A Bill in addition to an Act, intituled "An Act for the incorporation of *The Saint John and Saint Croix River Canal Company*."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Report from Nathaniel Hubbard, Esquire, Supervisor of the Great Road from the Nashwaak, opposite Fredericton, to the Finger Board.

[*See Appendix, No. 6.*]

Mr. Jordan, by leave, presented a Petition from William G. Cody, Thomas Dewar, Simon Fraser, and 77 others, Inhabitants of the eastern section of the Parish of Portland in the County of Saint John, praying that the provisions of an Act for the erection of an Alms House and Work House for the said County, may not extend to that part of the said Parish; which he read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Fisher,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to authorise the extension of the Gaol Limits in the Parish of Fredericton.

And they being severally read are as follows:—

At A. expunge the words "or any other."

At B. expunge the words "to a distance not exceeding three hundred rods from the Gaol, in the said County," and insert "so as to include all the Lands comprised within the Town Plot of Fredericton, (that is to say;) which lie to the northward of the rear line of the said Town Plot, as laid out and described in the original grant thereof, and between such rear line and the River Saint John to the line of low water mark, including any wharf or wharves already erected, or hereafter to be erected, extending into the said River, also all the Land which lies to the northward of the prolongation of the said rear line of the said Town Plot, south forty three degrees east, until it strikes the River Saint John aforesaid."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That the Honorable Mr. Crape do return the Bill with the amendments to the Council, and acquaint them therewith.

Mr.

Mr. End moved for leave to bring in a Bill, for the protection of Copy Rights of original publications.

The Rule of the House limiting the time for bringing in Bills being dispensed with, Leave was granted.

Mr. Fisher, from the Committee appointed on the 13th instant to join the Committee of the Legislative Council, to prepare an Address to Her Most Gracious Majesty upon the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne, reported, that the Committee had met and prepared the same, which he was directed to submit to the House.

Having then read the same, he handed it in at the Clerk's Table, where it was again read; and

On motion of Mr. Partelow,

The House went into Committee of the whole on the said Address.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the said Address, they had agreed to the same without making any amendment thereto.

*Ordered*, That the Report be accepted, and the Address engrossed; and further

*Ordered*, That Mr. Fisher do acquaint the Legislative Council that the House have agreed thereto.

Mr. H. T. Partelow, by leave, presented a Petition from Bashaba E. Nevers, of Burton in the County of Sunbury, praying the Provincial allowance for teaching a School in that Parish for six months, ending the 1st November last; which he read.

And the Rule of the House limiting the time for introducing Petitions, being dispensed with,

*Ordered*, That the same be received, and referred to the Select Committee on School Petitions.

On motion of Mr. Thomson,

The House went into Committee of the whole, on a Bill to provide for the payment of Grand and Petit Jurors in the several Counties in this Province.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

“That the further consideration of the said Bill be postponed for six months.”

Whereupon the Committee divided as follows:—

YEAS.  
Mr. Allen,  
M'Almon,  
Weldon,  
Jordan,  
J. M. Wilmot,  
Barlow,  
M'Leod,  
Stewart.

NAYS.  
The Hon. Mr. Speaker,  
The Hon. Mr. Crane,  
Mr. Hanington,  
Taylor,  
Woodward,  
Beardsley,  
Palmer,  
End,  
Fisher,  
Hill,  
Wyer,  
Thomson.

And it was decided in the negative.

The Committee then made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Wyer, from the Committee on Light Houses, submitted a Report, which he read, and handed the same in at the Clerk's Table, where it was again read; and is as follows:—

“The Committee appointed to take into consideration all matters relating to Light Houses,

Houses, report, that they have had under their consideration the Petition of John Pendlebury, praying for remuneration for the erection of a building on Machias Seal Island, and recommend that the Commissioners of Light Houses for the County of Charlotte do make him a reasonable allowance for the same; the same to be deducted from the salary of the present Keeper of the Light House on said Island.

"Your Committee have also taken into consideration the Petition of James Brewster, Isaac Turner, Reuben Stiles, and others, of Hopewell, and recommend that the sum of six hundred pounds be appropriated for the purpose of erecting and maintaining a Light House on Cape Enrage.

"Respectfully submitted.

"THOMAS WYER, *Chairman*.

"Committee Room, 31st January, 1838."

*Ordered*, That the Report be accepted; and

On motion of Mr. Wyer; further

*Ordered*, That the Report be referred to the Committee of Supply.

On motion of Mr. End,

*Ordered*, That the Order of the Day for going into Committee of the whole House on the State of the Province be discharged, and stand as the Order of the Day for Monday next.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to A Bill to incorporate *The Saint John Mills and Manufacturing Company*:

A Bill to incorporate *The Petcodiac Wet Dock Company*: and

A Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank*:

With amendments, to which they desire the concurrence of the Assembly.

Mr. Wyer moved for leave to bring in a Bill, further to amend an Act, intituled "An Act to authorise the Grand Jurors in the several Counties within this Province to inspect the public accounts," so far as the same relates to the County of Charlotte.

The Rule of the House limiting the time for bringing in Bills being dispensed with, Leave was granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Palmer,

The House went into Committee of the whole, on a Bill for the division of the County of Westmorland into two Counties, and to provide for the government and representation of the new County.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House—Report from the Board of Audit on sundry accounts furnished by Supervisors of Great Roads of monies expended in the years 1836 and 1837.

[*See Appendix, No. 3.*]

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to enable the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, to alienate certain Lands belonging to that Corporation.

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made an amendment thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

The House adjourned until to-morrow morning at 10 o'clock.

B†

THURSDAY,



**Thursday, 1st February, 1838.**

*Prayers.*

Read a second time,

A Bill further to amend an Act, intituled "An Act to authorise the Grand Jurors in the several Counties within this Province to inspect the public accounts," so far as the same relates to the County of Charlotte.

The Honorable Mr. Johnston, Chairman of the Committee on Roads, submitted a further Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to inquire into the state of all the Roads of Communication in the Province, and to report what monies it may be necessary to appropriate for repairing and improving the same, have had under their consideration the subject of Great Roads, as also the expediency of making certain special Grants for Roads, and recommend that the sum of eighteen thousand four hundred and seventy five pounds be granted, and appropriated as follows, viz. :—

From Saint John to Nova Scotia line, including the Marshes,.....	£2000
" Saint John to Saint Andrews,.....	2000
<small>(Of which £1250 to be paid to the Corporation of the City of Saint John, to assist in building piers and landing places on the eastern and western side of the Harbour of Saint John, in connexion with the Steam Ferry Boats about being established for the conveyance of Passengers across the said Harbour.)</small>	
From Fredericton to Saint John, <i>via</i> Nerepis,.....	600
" Nerepis Road to Gagetown,.....	200
" Dorchester to Shediac,.....	175
" Shediac to Bend of Peticodiac,.....	200
For the Bridge at Cocagne,.....	900
From Richibucto to Chatham,.....	450
" Newcastle to Restigouche,.....	1400
For the Bridge over Bathurst Harbour,.....	350
From Fredericton to Canada Line,.....	2000
" Fredericton to the Finger Board,.....	600
" Bellisle to Saint John,.....	150
" Fredericton to Newcastle,.....	2500
" Fredericton to Saint Andrews,.....	3000
" Woodstock to Houlton,.....	100
For a Bridge over the Peticodiac River at the fording place, and for exploring the best line for a road between Salisbury and Hopewell,.....	400
	<hr/> £17,025

**SPECIAL GRANTS.**

From Hammond River to Hopewell,.....	£200
" Loch Lomond to Sussex Vale,.....	300
" Oromocto to Gagetown on the old Military Road, in the rear of the present Road at Swan Creek,.....	150
For building a Bridge over Eel River between York and Carleton,.....	300
Towards widening the Mill Bridge leading from the City of Saint John to Parish of Portland,.....	500— 1,450
	<hr/> £18,475

"HUGH JOHNSTON, *Chairman.*

"Committee Room, 31st January, 1838."

*Ordered,* That the Report be accepted; and

On motion of the Honorable Mr. Johnston; further

*Ordered,* That the said Report be referred to the Committee of Supply.

Read a third time as engrossed,

A Bill to enable the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, to alienate certain Lands belonging to that Corporation.

*Resolved,* That the Bill do pass.

*Ordered,* That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Read

Read a third time as engrossed,

A Bill for the better and more effectual securing the navigation of the Newcastle River in Queen's County.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honorable Mr. Johnston take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to authorise Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the purpose of paying off the County debt.

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message :—

**"New Brunswick.**

*"Message to the House of Assembly, 29th January, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor submits to the House of Assembly a Letter addressed to him by the Commissioner and Surveyor General of Crown Lands on the subject of a Map of the Province, which that Officer is now preparing, and which, in the opinion of the Lieutenant Governor will, if published, be productive of great benefit to the Province at large; and he therefore recommends it to the favorable consideration of the House.

"J. H."

*"Crown Land Office, January 25, 1838.*

"SIR,

"I have the honor to inform Your Excellency that I have for some time past been engaged with one of my draftsmen, Mr. Inches, in preparing a Map of this Province, upon a scale of six miles to an inch, compiled most carefully from the original returns of actual surveys now in this Office.

"The Map comprises a delineation of all the granted lands; thus shewing the extent of the vacant lands, the great Roads of communication as well as of the Bye Roads; the County and Parish lines are also correctly laid down; the lakes, rivers, brooks and highlands are also exhibited in their true positions; thus furnishing a perfect representation of the face of the country, and a correct Map of the whole Province.

"It is my wish to publish this work, which will be ready for the Engraver by the 1st June next. The engraving and one hundred copies I have ascertained will cost about £500 sterling; which, however, is a sum much larger than I should be justified in incurring upon so uncertain a speculation as a return by the sale of the copies. As however all classes of Her Majesty's subjects in this Province must be more or less interested in having a publication of such a Map, I take the liberty of submitting the matter to Your Excellency's favorable consideration, and as you have inspected the work, and can form a perfect judgment of its merits, should you think the undertaking worthy of encouragement, I trust Your Excellency will extend such assistance as will enable me to publish the Map at an early day.

"Should I be enabled to publish the Map, I intend shortly, out of any profits which may arise, to prepare Lithographic County Plans upon a much larger scale, which will shew every separate grant of land in the Province, together with all the information contained in the Map.

"I have the honor to be, Sir,

"Your Excellency's most obedient humble servant,

"THOS. BAILLIE, *Com. & Sur. Gen.*"

To His Excellency Major General Sir JOHN HARVEY, K. C. H. & C. B.

On motion of Mr. Woodward,

*Resolved*, That a Select Committee be appointed to examine into the expenditure of repairing and furnishing Government House.

*Ordered*, That Mr. Woodward, Mr. Brown, Mr. Hayward, Mr. Stewart and Mr. Wyer, do compose the said Committee.

It

It being the time appointed for taking into consideration the Petition of William Fitz William Owen, Esquire, and others, complaining of the undue election and return of Robert Thomson, Esquire, as a Member for the County of Charlotte.

The Members being called in, the doors were locked, and the House counted, when twenty four being present.

*Ordered*, That the parties be heard at the Bar.

Whereupon the Petitioners appeared by the Honorable G. F. Street as their Counsel, and L. A. Wilmot, Esquire, as Counsel on behalf of the sitting Member.

The Order of the Day was then read, when the names were drawn to the number of eleven, and Nominees appointed, as is directed by the Act regulating controverted Elections and Returns of Members to serve in General Assembly.

The doors being then unlocked, the drawn lists were delivered to the Counsel for the respective parties, and the same being struck, a reduced list of the Members so drawn, with the Nominees added thereto, was then handed in, when the following appeared as the members of the Committee :—

Charles Fisher,	} Esquires.
William Wilson,	
J. M. Wilmot,	
James Taylor,	
Isaac Woodward,	

NOMINEES :

John R. Partelow, Esquire, for Petitioners ;  
William End, Esquire, for sitting Member.

The four first named of the Committee, together with the Nominees, being then called to the Clerk's Table, were duly sworn, and Isaac Woodward, the last named, being of the Profession called Quakers, affirmed, well and truly to try the matters of the said Petition referred to them, and a true judgment to give thereon according to the evidence.

On motion of Mr. Weldon,

*Ordered*, That the said Committee do meet forthwith in the Supreme Court Room, and proceed in the investigation of the several matters alleged in the said Petition.

Lists of the Committee qualified, together with copies of the foregoing order, were then delivered to the respective Counsel ; and the Counsel were then ordered to withdraw.

Mr. Jordan, by leave, presented a Petition from Roger Welsh, of Saint Martin's in the County of Saint John, an old Soldier in the Revolutionary War, praying aid in his distressed situation ; which he read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That the same be received, and referred to the Select Committee for taking the like into consideration.

On motion of Mr. J. M. Wilmot,

The House went into Committee of the whole, on a Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town in the Parish of Portland, and County of Saint John.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made amendments thereto, and then agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill to provide for the expenses of the Legislature, and for other purposes therein mentioned.

Mr. Beardsley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill to them referred, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The

The Honorable Mr. Johnston, by command of His Excellency, laid before the House for their consideration and decision—

A Petition from Alexander Wedderburn, Esquire, Emigrant Agent at Saint John, which had been addressed to His Excellency, praying an increase of salary.

The House adjourned until to-morrow morning at 10 o'clock.

## Friday, 2d February, 1838.

### *Prayers.*

The Honorable Mr. Johnston, by command of His Excellency, laid before the House:—

Return of Lands granted or reserved for Churches and Schools; also

Schedule of Indian Reserves, as requested by the House on the 17th and 25th January.

[See Appendix, No. 12.]

Mr. Partelow, by leave, presented a Petition from John Kinnear, William Walker, James T. Hanford, Barnabas Tilton, and 71 others, Merchants and Traders of Saint John, praying that an Act may pass to authorise the inspection of Flour and Meal; which he read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish.

Mr. Wyer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, and had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to the following Bills, without any amendments:—

A Bill to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company:

A Bill for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish;

And that he was further directed to communicate the following:—

*“Legislative Council Chamber, 1st February, 1838.*

*“Resolved*, That this House do agree to the joint Address to Her Majesty, on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne, as prepared by the joint Committee of this House and the Assembly.

*“Ordered*, That the Honorable Mr. Chandler be a Committee, with such Committee as the Assembly may appoint, to wait upon His Excellency the Lieutenant Governor, and request that he will be pleased to transmit the same to be laid at the foot of the Throne.

*“WM. TYNG PETERS, Clerk.”*

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill in addition to an Act, intituled “An Act relating to the Great Roads of Communication through this Province.”

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that they had gone into consideration of the Bill referred to them, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Brown,

*Resolved*, That a Select Committee be appointed, under the first Resolution passed in Committee of the whole House on the 29th January, when in further consideration of the several Messages from His Excellency the Lieutenant Governor, relative to the plan and report from John Wilkinson, Esquire, of the survey and exploration of a line of Road from Woodstock to Oak Bay.

*Ordered*, That Mr. Hayward, Mr. Brown and Mr. Hanington, do compose the said Committee.

Mr. Connell, by leave, presented a Petition from Charles O'Connor, of Wakefield in the County of Carleton, setting forth that he is desirous of forming an establishment for the accommodation of Travellers on the Portage Road, between the Restook River and the Great Falls, and praying Legislative aid towards accomplishing that object; which he read.

And the Rule of the House limiting the time for introducing Petitions, being dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table; and

On motion of Mr. Connell,

*Resolved*, That the said Petition be referred to a Select Committee to report thereon.

*Ordered*, That the Honorable Mr. Johnston, Mr. Palmer and Mr. Hayward, do compose the Committee.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill in addition to and in amendment of "An Act for the endowment of King's College at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the County of Northumberland.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made an amendment thereto and then agreed to the same, under the title of "A Bill for the establishment of Grammar Schools in the County of Northumberland."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

The House adjourned until to-morrow morning at 10 o'clock.

### **Saturday, 3d February, 1838.**

#### *Prayers.*

The Honorable Mr. Johnston, by leave, presented a Petition from David B. Wetmore, and John Barbarie, Esquires, and others, of King's County, praying the division line between that County and Queen's County may be further run out and completed; which he read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That the said Petition be received, and lie on the Table.

The joint Address of the Legislative Council and House of Assembly to Her Majesty Queen Victoria on the death of His late Majesty King William the Fourth, and of congratulation on Her Majesty's accession to the Throne, was read as engrossed, and is as follows:—

**"To**

**"To the Queen's Most Excellent Majesty.**

*"The humble and dutiful Address of the Legislative Council and House of Assembly of the Province of New Brunswick, in General Assembly.*

"MAY IT PLEASE YOUR MAJESTY,

"WE deeply participate with Your Majesty in the severe affliction which Your Majesty has suffered by the lamented death of Your Majesty's beloved Uncle, our late Sovereign, of revered and glorious memory.

"We assure Your Majesty that we shall ever remember with affection and gratitude the liberal and enlightened policy, with regard to the people of this Province, which so peculiarly characterized the Reign of His late Majesty King William the Fourth.

"In presenting to Your Majesty our humble and heartfelt congratulations on Your Majesty's auspicious accession to the Throne, we desire to record the expression of our devoted attachment to Your Majesty's sacred person, and our entire confidence that Your Majesty will evince the same lively solicitude for the welfare and protection of Your People in this Province which so conspicuously distinguished Your Royal Predecessor.

"We offer our fervent aspirations that under the favor and guidance of Divine Providence, Your Majesty may long continue to reign in the hearts and affections of all Your subjects throughout Your Majesty's widely extended Dominions."

On motion of Mr. Fisher,

*Resolved*, That a Committee be appointed to join the Committee of the Council to wait upon His Excellency the Lieutenant Governor with the said Address, and request he will be pleased to transmit the same, to be laid at the foot of the Throne.

*Ordered*, That Mr. Fisher and Mr. Street be the Committee for that purpose; and further

*Ordered*, That Mr. Fisher do acquaint the Council therewith.

On motion of Mr. Hanington,

The House proceeded to take into consideration the amendments made by the Council to

The Bill to incorporate *The Petcodiac Wet Dock Company*.

And they being severally read, are as follow:—

At A. in the preamble, expunge the words "has been," and insert "is."

At B. in the preamble, expunge the words "on Hall's Creek at," and insert "at or near."

At C. in Section I. expunge the remainder of the Section, and insert the words "all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of erecting and maintaining a Wet Dock at or near the bend of the Petcodiac River in the County of Westmorland, for the more convenient loading and unloading of Ships, Vessels or Boats, and any necessary Wharves, Buildings or Works connected therewith, and for carrying on and managing the same."

At D. in Section II. expunge the word "ten," and insert "twenty."

At E. expunge the word "three," and insert "two."

At F. insert the words "and provided that the said Corporation shall not be entitled to purchase any property real or personal, or to incur any debts until the said twenty per cent. of the capital stock as aforesaid shall be paid in."

At G. in Section III. expunge the remainder of the Section.

At H. in Section X. insert as follows:—

"Provided always, that if after the expiration of six years from the time of completing the said Wet Dock, the rates, tolls or dues, that may be established by the said Corporation under and by virtue of this Act, should be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues, so that the same shall not produce to the said Corporation a greater rate of net profit upon their Capital Stock than twenty pounds annually, for every hundred pounds of such Capital Stock; and in order that the true state of the affairs of the said Corporation shall be known, it shall be the duty of the President and Directors thereof to produce and lay before the several branches of the Legislature of this Province, at the expiration of six years after the said Wet Dock shall have been completed as aforesaid, a just and true statement  
and

and account of the monies by them disbursed and laid out in making and completing the said Wet Dock in manner aforesaid, and also of the amount of the tolls and maintaining and keeping up the same during the said six years; the said several accounts and statements to be signed by the President and Treasurer of the said Corporation, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said Corporation once in each and every year after the expiration of the said six years, to lay before the several branches of the Legislature a like statement and account, verified on oath by the said President and Treasurer as aforesaid."

At I. expunge the Sections XI. XII. XIII. and XIV. and alter the enumeration of the subsequent Sections accordingly.

At J. in Section XVI. expunge the word "six," and insert the word "four."

At K. insert a new Section, as follows:—

"XIII. Provided always, and be it enacted, That unless the sum of six hundred pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the said Directors, or a majority of them, which oath any Justice of the Peace may administer, shall be filed in the office of the Secretary of the Province before the expiration of two years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said two years."

The question being taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Hanington return the Bill with the amendments to the Council, and acquaint them therewith.

On motion of Mr. Partelow,

The House proceeded to take into consideration the amendment made by the Council to

The Bill to incorporate *The Saint John Mills and Manufacturing Company*.

And the amendment being read, is as follows:—

At A. in Section I. add the words "for the purpose of erecting Mills and Machinery and necessary works therewith connected, at Cunnable's Point, in the Parish of Lancaster in the County of Saint John, for manufacturing purposes and for carrying on and managing the same."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Partelow do return the Bill to the Council, and acquaint them therewith.

On motion of Mr. Street,

The House proceeded to take into consideration the amendment made by the Council to

The Bill to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank*.

The amendment being read, is as follows:—

At A. in Section XIII. expunge the words "the passing of this Act as aforesaid," and insert the words "the time when this Act shall come into operation."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Street do return the Bill to the Council, and acquaint them therewith.

Read a third time as engrossed,

A Bill more effectually to regulate the Ferry and Public Landing in front of Indian Town in the Parish of Portland and County of Saint John.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Jordan take the said Bill to the Council, and desire their concurrence thereto.

Read

Read a third time as engrossed,

A Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish.

*Resolved*, That the Bill do pass.

*Ordered*, That the Honorable Mr. Johnston take the said Bill to the Council, and desire their concurrence thereto.

Mr. Allen, from the Committee appointed on the 19th January, under the eleventh Resolution which passed in Committee of the whole House when in consideration of the Messages from His Excellency the Lieutenant Governor, relative to the Despatch from the Right Honorable the Secretary of State for the Colonies, of the 10th May, recommending an amendment in the Mutiny Act, reported, that the Committee having the subject before them, had prepared a Bill under the title of "A Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters;" which he was directed to submit to the house.

*Ordered*, That the Report be accepted.

The Bill as reported being then handed in, was read a first time.

The House adjourned until Monday morning next at 10 o'clock.

### **Monday, 5th February, 1838.**

#### *Prayers.*

Read a second time,

A Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

Mr. Partelow, Chairman of the Committee on Public and Private Accounts, and to whom were referred the Province Treasurer's accounts, reported, that they had the same under consideration, and he was directed to submit a report thereon, which he read, and handed the same in at the Clerk's Table, where it was again read.

*Ordered*, That the Report be accepted; and further

*Ordered*, That one hundred and fifty copies thereof be forthwith printed for the use of the Members of this House; and

On motion of Mr. Partelow; further

*Ordered*, That the accounts numbered 81, 83, 90, 91, 97, 99 and 101, be referred to the Committee of Supply.

On motion of Mr. Street,

*Resolved*, That the Bill for the establishment of Grammar Schools in the County of Northumberland be re-committed.

The House accordingly resolved itself into said Committee.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made an amendment thereto, and then agreed to the same.

*Ordered*, That the Report be accepted, and the Bill as further amended, engrossed.

The Honorable Mr. Johnston, by leave, presented a Petition from Mary Ogden, widow of the late Robert Ogden, a Soldier in the Revolutionary War, praying aid in her present destitute situation; which he read.

And the Rule of the House as to the time of introducing Petitions, being dispensed with,

*Ordered*, That the same be received, and referred to the Select Committee for taking such Petitions into consideration.

The adjourned Order of the Day for going into Committee of the whole House on the State of the Province being read,

On motion of Mr. End,

*Ordered*, That the said Order of the Day be discharged.



On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Messages again before them, had passed several other Resolutions, and having read the same, he handed them in at the Clerk's Table, where they were again read, and are as follow:—

1. *Resolved*, as the opinion of this Committee, That it is highly desirable that the Great Roads of this Province should be divided into districts, making each district sufficiently large for the full occupation of a Supervisor, and that each district should be placed under the management and charge of one Supervisor.

Upon the question for sustaining this Resolution, the Committee divided as follows:

YEAS.

The Hon. Mr. Speaker,  
The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Mr. Taylor,  
Stewart,  
Street,  
Jordan,  
Partelow,  
H. T. Partelow,  
Connell,  
Woodward,  
Fisher,  
End,  
Brown,  
L. A. Wilmot.

NAYS.

Mr. Hill,  
Wyer,  
Thomson,  
Gilbert,  
M'Leod,  
Freeze,  
Beardsley,  
Wilson,  
Palmer,  
Allen,  
Weldon,  
M'Almon

And it was thereupon carried in the affirmative.

2. *Resolved*, as the opinion of this Committee, That His Excellency's Message of the 22d January, sent down on the 23d, respecting the advantages which would result from a partial Geological survey or exploration of certain sections or districts of the Province, should be referred to the Committee of Supply.

3. *Resolved*, as the opinion of this Committee, That His Excellency's Message of the same date, on the subject of a Lunatic Asylum, with the report from Doctor Peters accompanying it, should be referred to the Committee of Supply.

4. *Resolved*, as the opinion of this Committee, That the Message from His Excellency of the same date, on the subject of Schools, should be referred to a Select Committee to report thereon.

5. *Resolved*, as the opinion of this Committee, That the Petition of Alexander Wedderburn, Emigrant Agent at Saint John, praying an increase of salary, laid before the House by command of His Excellency on the 1st instant, should be referred to a Select Committee to report thereon.

6. *Resolved*, as the opinion of this Committee, That the Message of His Excellency of the 29th January, sent down on the 1st instant, on the subject of a Map of this Province in course of preparation by the Commissioner and Surveyor General of Crown Lands, together with the communication from that Officer accompanying the same, should be referred by the House to the Committee of Supply.

The Chairman then further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Partelow then moved several Resolutions, predicated on the foregoing as reported from the Committee.

*Resolved*, That a Select Committee be appointed to carry into effect the first Resolution on the subject of Roads.

*Ordered*, That Mr. Brown, Mr. M'Leod and Mr. L. A. Wilmot, do compose the Committee.

*Resolved*, That the subject matter of the fourth Resolution, respecting Schools be referred to a Select Committee to report thereon.

*Resolved*,

*Ordered*, That the Honorable Mr. Crane, Mr. Weldon and Mr. End, do compose this Committee.

*Resolved*, That the Petition of Alexander Wedderburn, Emigrant Agent, be referred to a Select Committee to report thereon.

*Ordered*, That Mr. Woodward, Mr. End and Mr. M'Leod, be the Committee for that purpose.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt: and

The Bill to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring,

Without any amendment.

And that the Council had also agreed to the following Bills, with amendments:—

The Bill for the incorporation of *The Saint Andrews and Saint John Stage Company*:

The Bill to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same: and

The Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same.

To which amendments they desire the concurrence of the Assembly.

On motion of Mr. Allen,

The House went into Committee of the whole, on a Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the said Bill, they had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to continue the Act relative to the Streets and Squares in the City of Saint John,

Without any amendment.

Mr. Wilson, Chairman of the Committee, to try the Petition of William FitzWilliam Owen, Esquire, and others, complaining of the Election and return of Robert Thomson, Esquire, as a Member for the County of Charlotte, reported to the House, that John M. Wilmot, Esquire, one of the Members of the Select Committee, was absent at the time to which the said Committee had adjourned to meet on Saturday last.

Mr. Weldon having then stated that Mr. Wilmot was absent at Saint John, by leave of the House, on urgent business; therefore

*Ordered*, That that be a sufficient excuse.

The House proceeded to take into consideration the amendment made by the Council to

The Bill to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same.

The amendment being read, is as follows:—

At A. in Section I. insert the words "and the said Justices are also hereby empowered, by the style and name of the Justices of the Peace for the City and County of Saint John, to purchase, take and hold any land for the site and purposes of such House of Correction."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Barlow return the Bill with the amendment to the Council, and acquaint them therewith.

The

The House proceeded to take into consideration the amendments made by the Council to

The Bill for the incorporation of *The Saint Andrews and Saint John Stage Company*.

And they being severally read, are as follow:—

At A. in Section I. insert the word "Coach."

At B. add the words "for the purpose of establishing lines of Coaches to run between the City of Saint John and any part of the Province, and for carrying on and managing the same."

At C. in Section II. add the words "twenty per cent. of the said Capital Stock to be paid in before the said Corporation shall be entitled to purchase any property, real or personal, or to incur any debts."

At D. in Section IV. expunge the words "three years," and insert "one year."

At E. expunge the words "three years," and insert "one year."

At F. expunge the preamble, and insert the following:—

"Whereas it is thought that the running of Stage Coaches from and to Saint John, would be highly beneficial to the public, by facilitating the means of communication throughout the Province."

At G. in the title, insert the word "Coach."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Wyer do return the Bill to the Council, and acquaint them therewith.

The House proceeded to take into consideration the amendments made by the Council to

The Bill to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same.

The amendments being severally read, are as follow:—

At A. in Section I. expunge the words "passing of this Act," and insert the words "time when this Act shall come into operation."

At B. in Section II. insert the words "in separate lots of four shares each."

At C. expunge the Section VI. and alter the enumeration of the subsequent Sections accordingly.

At D. in Section VII. expunge the words "passing of this Act," and insert "time of this Act coming into operation."

At E. insert a new Section, as follows:—

"XI. And be it enacted, That in case any Bills or Notes issued by said Corporation shall remain unpaid, the holders of stock in said Corporation, as well as those who were Stockholders at the time of the notice of said dissolution, (which said notice shall take place by a publication of their intentions so to do in the Royal Gazette, twelve months previous to the said Corporation being allowed to carry the same into effect,) shall be chargeable in their private and individual capacity for the payment and redemption thereof, in proportion to the stock they respectively held or hold, subject however to the proviso mentioned in the seventh section of this Act; provided however, that this liability shall continue for two years only from after the notice of such dissolution."

At F. expunge the figures "1860," and insert the words "one thousand eight hundred and sixty, and no longer."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Wyer also return this Bill to the Council, and acquaint them therewith.

On motion of Mr. Palmer,

The House went into Committee of the whole, in further consideration of a Bill for the division of the County of Westmorland into two Counties, and to provide for the representation of the new County.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, it was moved—

"That

"That the further consideration of the said Bill be postponed for six months."  
And upon the question the Committee divided as follows:—

YEAS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
Mr. Allen,  
Brown,  
Stewart,  
Jordan,  
Weldon,  
Street,  
Partelow,  
Barlow,  
H. T. Partelow,  
Woodward,  
Connell,  
Fisher,  
Hayward,  
Wyer,  
End.

NAYS.

The Hon. Mr. Crane,  
Mr. Hanington,  
Palmer,  
Wilson,  
M'Almon,  
Taylor.

Whereupon it was carried in the affirmative.

Ordered, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

**Tuesday, 6th February, 1838.**

*Prayers.*

Mr. End, pursuant to leave, brought in a Bill for the protection of Copy Rights of original publications; which was read a first time.

On motion of the Honorable Mr. Johnston,

Ordered, That Mr. Gilbert be added to the Committee, appointed on the 29th December, to take into consideration the expediency of improving the navigation of the Rivers, Bays, Harbours and Creeks in this Province.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish.

Mr. Barlow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

Ordered, That the Report be accepted, and the Bill engrossed.

Mr. Street, by leave, presented a Petition from Elizabeth Williams, of Chatham in the County of Northumberland, a licensed Schoolmistress, praying remuneration for teaching a School at that place for one year, ending in September 1834; which he read;

And the Rule of the House limiting the time for introducing Petitions, being dispensed with,

Ordered, That the said Petition be received, and referred to the Committee of Supply.

On motion of Mr. Beardsley,

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that His Excellency will be pleased to direct the Sheriff of the County of Carleton to make out, with as little delay as practicable, a statement in detail of the amount of money collected by him as Sheriff as aforesaid, for fines inflicted by the Justices of the said County at their Courts of General Sessions of the Peace holden for the said County, since the organization of the said County, in pursuance of sentences upon conviction in the said County for offences committed within the said County; the names of the persons convicted and fined, and for what offences; what fees were

paid him by such persons respectively, and at what periods; and if any fines were uncollected, the cause thereof; the sums collected, to whom paid, and at what periods; together with the necessary vouchers to authenticate the same; and also that His Excellency will be pleased to direct the Clerk of the Peace of said County, with as little delay as practicable, to make a particular transcript of the record of all convictions for offences had in said Court, the fines to be paid by the offenders, and when; and that His Excellency will on receipt of such statements respectively, at his earliest convenience, be pleased to cause the same to be laid before this House.

Upon the question for sustaining the same, the House divided as follows:—

YEAS.  
The Hon. Mr. Johnston,  
Mr. Beardsley,  
Palmer,  
Woodward,  
Connell,  
M'Leod,  
Gilbert,  
Hill,  
Thomson.

NAYS.  
Mr. Hanington,  
M'Almon,  
Weldon,  
End,  
Jordan,  
Partelow,  
Barlow,  
H. T. Partelow.

And so it passed in the affirmative.

*Ordered*, That Mr. Beardsley, Mr. Hill and Mr. Gilbert, be a Committee to wait upon His Excellency with the Address.

Mr. End then moved that the question upon the said Address to His Excellency the Lieutenant Governor, upon the subject of returns of fines imposed by the Court of Sessions of the Peace for the County of Carleton, be re-considered.

Whereupon the House divided—

YEAS, 13.

NAYS, 13.

And the division being equal, the Honorable Mr. Speaker decided in the negative.

On motion of Mr. Woodward,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, an account of all fees and perquisites of office received by the Administrator of the Government, the Commissioner of Crown Lands and Forests, the Surveyor General, the Secretary of the Province, the Registrar of the Province, and the Receiver General, respectively, from whatever sources derived, specifying the amount received for each service; also the amount of fees received by the Judges of the Supreme Court collectively, and the amount received by each respectively, together with the amount of fees received by the Clerk of the Pleas in the said Court, derived from suits commenced and other business done in the said Court; also the amount of fees received by the Clerk of the Crown in the Supreme Court, and the Clerk of the Circuits, the Clerk of the Crown on the Circuits, and the Clerk of the Crown in Chancery; the said accounts to be made up for the year ending 1st January 1838, and to include all fees and perquisites payable, though not received, during that period.

*Ordered*, That Mr. Woodward, Mr. Brown and Mr. Thomson, be a Committee to wait upon His Excellency with the Address.

Mr. Hayward, from the Committee appointed on the 22d January to examine into the several Petitions relating to Roads, submitted their Report, which he read, and then handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom were referred the Petitions for and against alterations in various Great Roads, as also those praying remuneration for monies advanced in opening and repairing, and for loss sustained in the performance of certain contracts on Roads, having had the same under consideration, report as follows:

"That in respect to the Petition of Peter M'Cullam and others, praying that no Bridge should be erected to impede the navigation of the Digdeguash River at the proposed alteration of the Great Road from Saint Andrews to Magaguadavic, the Committee recommend that the prayer of this Petition be complied with; and from the allegations set forth

forth in this Petition, the Committee are of opinion that it is a matter of regret that any alteration in this particular place should have been made by the Supervisor on that Road.

"That in respect to the Petition of John Cathcart, Daniel Hill, and others, against the line of Road lately explored and laid out by B. Rainsford, Esquire, from Connick's to the Rolling Dam on the Great Road between Fredericton and Saint Andrews, the Committee cannot recommend a compliance with the prayer of this Petition.

"That in respect to the Petition of Robert Hazen, Esquire, and others, praying a grant of money to open a new line of Road from the forks to the old Westmorland or Marsh Road to the Loch Lomond Settlement, the Committee recommend that before any grant be made for the opening of this Road a sum of money should be granted to explore and examine the same, by Commissioners to be appointed by His Excellency the Lieutenant Governor.

"That in respect to the Petition of Gould Picket and others, praying an alteration in the Great Road from the head of Bellisle to Saint John, the Committee are of opinion, as there is another Petition, praying for a different and more extensive alteration in this Road, they cannot recommend any grant for the object contemplated in this Petition, especially as the Committee have no information or report from the Supervisor on that Road upon the subject.

"That in respect to the Petition of Alexander Campbell, J. H. Whitlock and others, praying that certain alterations may be made in two of the Great Roads in the County of Charlotte, and a grant of money for that purpose, and also in respect to the Petition of W. H. Mowatt and others, against the alterations prayed for in the first Petition, the Committee recommend that a sum of money should be granted for the purpose of exploring a new line of Road between Saint Andrews and Saint Stephens, by Commissioners to be appointed for that purpose by His Excellency the Lieutenant Governor.

"That in respect to the Petition of C. L. Hatheway and others, praying that no alteration may be made in the Great Road from Saint John to Saint Andrews, and that a sum of money alleged to be withheld for the purpose of making an alteration in that Road, may be expended on the present route, the Committee recommend that the contemplated alteration in this Road should be suspended by the Supervisor on that Road until he make report thereon, and the same be submitted to this House.

"That in respect to the Petition of John Brewer and others, praying that an alteration may be made in that part of the Great Road on the Canada line lying between Camber's Creek and M'Kean's, the Committee are of opinion that the object of this Petition is anticipated, Commissioners having been already appointed by His Excellency the Lieutenant Governor, under a Resolution of the House of Assembly at the last July Session, to explore and examine this line, whose Report it is presumed will shortly be laid before this House.

"That in respect to the Petition of James Crosier, Edward Hughes, and Patrick M'Laughlin, complaining that the Supervisor on the Great Road between Saint John and the Nova Scotia line will not pay them for their Road contracts, the Committee are of opinion that the proper source of redress for these Petitioners is the legal tribunals of the country, and that therefore this House is not called upon to interfere in the matter.

"That in respect to the following Petitions, praying remuneration for losses sustained on Road contracts, viz.: Richard Coltart's, Patrick Burk's, William M'Pherson's and Alexander Forbes', Charles Upham's, Allan M'Kinney's, John M'Claskey's, and William M'Culloch's; although the Committee are of opinion that the situation of these unfortunate people is much to be commiserated, yet the Committee feel that they cannot, without opening a door to innumerable applications of the kind, and thereby establish a most dangerous precedent, recommend a compliance with the prayer of these Petitions.

"All which is respectfully submitted.

"GEORGE HAYWARD,  
L. A. WILMOT,  
JOHN JORDAN,  
P. STEWART.

"Committee Room, 3d February, 1833."

Ordered, That the Report be accepted.

On motion of Mr. Brown,

The House went into Committee of the whole, in further consideration of a Bill to provide for the assessment of the County and Parish Rates. Mr.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again before them, they had made further progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Hill,

*Resolved*, That the House do now go into Committee of the whole, on a Bill to divide the County of Charlotte into two Counties.

Whereupon Mr. Weldon moved as an amendment—

To expunge the word “now,” and insert the words “this day six months.”

And the question being taken upon the amendment, it was carried in the affirmative.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and handed them in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, unanimously, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £300, to be applied towards the relief of the Wives and Children (now at Fredericton and Saint John,) of such of Her Majesty's Troops, recently ordered through this Province to quell the insurrection in Canada, as were precluded from taking their families with them, owing to the fatiguing march and the inclemency of the weather.

*Resolved*, That there be granted

To the Sheriffs of the several Counties in the Province for executing writs of Election and returning Members to serve in General Assembly, viz:—

To the Sheriff of York, the sum of £25;

“ “ Carleton, the sum of £25;

“ “ Sunbury, the sum of £25;

“ “ Queen's, the sum of £25;

“ “ King's, the sum of £25;

“ “ City and County of Saint John, the sum of £50;

“ “ Charlotte, the sum of £25;

“ “ Westmorland, the sum of £25;

“ “ Northumberland, the sum of £25;

“ “ Kent, the sum of £25;

“ “ Gloucester, the sum of £10.

To the Honorable Judge Carter, one of the Commissioners appointed to administer the oaths to Members returned to serve in General Assembly, the sum of £30.

To Doctor John Boyd, Surgeon to the Vaccine Institution, Central Board, Saint John, the sum of £20 for 1837; and the further sum of £20, in consideration of extra services during the past year.

To the Governor and Trustees of the Madras School, £500 for the year 1838, towards the support of that Institution.

To Elizabeth Briscoe, £20 for teaching a School in Saint Andrews for 1837, in lieu of any further sum from the Province Treasury for that year.

To William H. Robinson, and the Committee of Management of the Infant School at Saint John, £25 in aid of individual subscription towards that Institution.

To James Whitehead, a meritorious old Soldier of the Revolutionary War, the sum of £20 to assist him in his present distressed circumstances.

To Matthew Brannen, of the Secretary's Office, £15 as a mark of approbation of his attentive and courteous demeanour in the said Office.

To Jane Danforth, a licensed teacher in Carleton, City of Saint John, £10 for her services in that capacity in 1837.

To William Watts, £10 for his services as Crier or Usher in the Supreme Court for the ensuing year.

To

To Mrs. Kennedy, widow of the late William Kennedy, of Saint Stephens, who faithfully served His Majesty, as a non-commissioned officer during the Revolutionary War, £10.

To John Gregory, £10 to prepare an Index to the Laws of the present Session.

To Mrs. Isabella Hailes, and the Committee of Management for the free School at Fredericton for the instruction of poor Female Children, the sum of £20 in aid of individual subscription towards the support of that Institution.

To Charity Ricketts, resident in the Parish of Portland, City of Saint John, the widow of an old Soldier of the Revolutionary War, the sum of £10 to assist her in her present distressed circumstances.

To Elizabeth Fairchild, of the City of Saint John, the sum of £20 for her services as a Schoolmistress in the City of Saint John.

To the Committee of Correspondence such sum as will procure Bills of Exchange on London for £200 sterling, to be remitted Henry Bliss, Esquire, Province Agent, for his services in that capacity during the year 1837.

To the Justices of the Peace for the City and County of Saint John, £100 towards the support of the free School established in the said City, unconnected with the Madras Board.

To John Simpson, Queen's Printer, the sum of £275 for printing the daily Journals of the House and Legislative Council the present Session.

To John Simpson, Queen's Printer, the sum of £150 towards printing the Journals of the Legislative Council and Assembly during the present Session.

To John Simpson, Queen's Printer, the sum of £150 towards printing the Laws of the present Session.

To Beverley Robinson, Esquire, Province Treasurer, the sum of 127 12, being amount of office contingencies for 1837.

To Beverley Robinson, Esquire, Province Treasurer, the sum of £96 14 10, being amount over expended by him in 1837 for the protection of the Revenue.

To Beverley Robinson, Esquire, Province Treasurer, the sum of £161 3 8, being for the services of a Clerk in the Treasury from the 9th May, 1837, to the 31st December, at £250 per annum.

To Beverley Robinson, Esquire, Province Treasurer, the sum of £498 11 2, being amount over advanced to the Commissioners of Light Houses in the Bay of Fundy in 1837.

To B. C. Chaloner, Gauger and Weigher at Saint John, the sum of £200, being in full for his services for the year 1837.

To D. W. Jack, Gauger and Weigher, Saint Andrews, the sum of £24 2, being amount of his account for 1837.

To Robert Watson, the sum of £1 19, being amount of his account for gauging and weighing in Saint Stephens in 1837.

To C. H. Jouett, the sum of £1 18, being for his services for gauging and weighing at West Isles in 1837.

To Mackay, Brothers and Company, of Saint John, the sum of £52 12 6, to refund him an excess of head money paid on Passengers at Saint John, at the Treasurer's Office, per Ship Campion; to be taken from the Emigrant Fund.

To John Simkin, Master of the Barque Recovery, the sum of £29 10, to refund him an excess of head money paid on Passengers at the Treasurer's Office, per Barque Recovery; to be taken from the same Fund.

To Robert Rankin and Company, the sum of £19 10, being an excess of head money paid at the Treasury on Passengers per Brig Ann and Mary; to be taken from the same fund.

To Robert Rankin and Company, the sum of £16 12 6, being an excess of head money paid at the Treasury on Passengers per the Brig Isadore; to be taken from the same fund.

To R. Rankin and Company, the sum of £11 6 8, being an excess of head money paid at the Treasury on Passengers per Brig Susan and Jane; to be taken from the same fund.

To R. Rankin and Company, the sum of £36 12 6, being an excess of head money paid at the Treasury on Passengers per Brig Leslie Gault; to be taken from the same fund.



To James Rait, the sum of £66, being an excess of head money paid on Passengers per ship Robert Watt, at the Deputy Treasurer's Office, Saint Andrews; to be taken from the same fund.

To John Kerr and Company, the sum of £38 15 10, being an excess of head money paid on Passengers per Barque James Lemon; to be taken from the same fund.

*Resolved*, That the Petition of John Marshall, for double head money, per Brig Highlander, cannot be complied with.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £2000 for the improvement of the Great Road from Saint John to Saint Andrews, and the approaches thereto; £1250 of the above sum to be paid to the Mayor, Aldermen and Commonalty of the City of Saint John, to assist them in building piers and landing places on the Eastern and Western side of the Harbour of Saint John, in connexion with the Steam Ferry Boat about being established for the conveyance of Passengers across the said Harbour.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £600 for the improvement of the Great Road from Saint John, *via* Nerepis; £100 of this sum to be expended between the Oromocto and Fredericton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £200 for the improvement of the Great Road leading from Gagetown to the Nerepis Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £175 for the improvement of the Great Road from Dorchester to Shediac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £200 for the improvement of the Great Road from Shediac to the Bend of Peticodiac.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £900 towards building a Bridge across the River Cocagne.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £450 for the improvement of the Great Road from Richibucto to Chatham; £75 14 9 of which to be paid to A. Goodfellow, late Supervisor, the same being a balance due him.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £1400 for the improvement of the Great Road from Newcastle to Restigouche.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £350 towards the erecting of Bathurst Bridge.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £600 for the improvement of the Great Road leading from Fredericton to the Finger Board; £50 of which to be appropriated between Woodstock and the County line.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £150 for the improvement of the Great Road leading from Bellisle to Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £3000 for the improvement of the Great Road from Fredericton to Saint Andrews; not less than £1200 of which sum to be expended on the Western side of the River Magaguadavic.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £100 for the improvement of the Great Road from Woodstock to Houlton.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £400 to be applied in building a Bridge over the Peticodiac River at the fording place, and for exploring the best line of Road between Salisbury and Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £200 for the improvement of the Road from Hammond River to Hopewell.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £300 to improve the Road from Loch Lomond to Sussex Vale.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £150 to improve the Road from Oromocto to Gagetown, on the old Military road in the rear of the present road at Swan Creek; so much of the above sum as will be required to be applied in repairing the Bridge over Dingee's Creek.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £300 to be applied in aid of individual subscription towards building a Bridge over Eel River in the County of York.

To

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £500, to be paid to the Mayor, Aldermen and Commonalty of the City of Saint John, and to be applied by them towards widening the Mill Bridge leading from the City of Saint John to the Parish of Portland.

### **Bye Roads in Kent.**

The sum of £40 for the Road from Point Sapine to the Kishebouguac.

The sum of £30 for the Road from Point Edward to the Post Road on the north side of the Kishebouguac River.

The sum of £10 from the Mill on the north side of Kishebouguac up stream.

The sum of £30 for the Road on the south side of Kishebouguac River.

The sum of £30 for the Road from the Little River to the Bridge over the Kishebouguasis.

The sum of £15 for the Road on the Kishebouguasis from the head of the Tide up stream.

The sum of £30 for the Road on the south side of Kishebouguasis River above the Post Road.

The sum of £10 for the Road below the Post Road on the south side of Kishebouguasis.

The sum of £25 for the Road on the south side of the Aldoune River.

The sum of £50 for the repairs of the Bridge over Daigle's Creek.

The sum of £10 for the Road from Richibucto to Mill Creek.

The sum of £90 for the Road between Mill Creek and Molus River.

The sum of £10 for the Road from Molus River to Bass River.

The sum of £10 for the Road from Bass River to the Mill on the Main River.

The sum of £25 for the Road from Mill Creek to the Indian line.

The sum of £50 from Richibucto to the lower Village.

The sum of £25 for the Road on the south side of Richibucto River to the east Branch Bridge.

The sum of £100 for the Roads and Bridges from the east Branch Bridge to the Coal Branch.

The sum of £15 for the Road from the Coal Branch Bridge to the Church.

The sum of £30 for the Road from the Coal Branch Bridge to James Pine's on the Main River; one half to be expended between Trout Brook and Pine's.

The sum of £12 for the Road on the south Branch of Saint Nicholas River.

The sum of £10 for the Road on the west Branch of Saint Nicholas River to the Town plot.

The sum of £10 for the Road from Gaspereaux Bridge to the Post Road.

The sum of £25 to pay the balance due to Thomas Johnson and William Fitzgerald for erecting the Bridge over the east Branch.

The sum of £20 to pay the balance to John Mooney and Charles Arseneaux for building Blanchard's Creek Bridge.

The sum of £12 for the Road on the south side of Chockpish River; one half to be expended on the upper side of the Post Road.

The sum of £20 to open the Road from the Beach to the Chockpish River, near to Sam Burke's line.

The sum of £20 for the Road on the north side of Buctouche River.

The sum of £30 for the Road on the south side of Buctouche River.

The sum of £30 towards the erection of a Bridge over Little Buctouche River near the head of the Tide.

The sum of £10 for the Road on the south side of Little Buctouche River.

The sum of £20 for the Road from Buctouche to Cocagne by the shore.

The sum of £30 for the Road from the Post Road to the Thibedo Settlement in the second tier of lots.

The sum of £40 for the Road on the south side of Cocagne River.

The sum of £15 for the Road on the north side of Chediac River.

The sum of £12 for the Road through the Cocagne Cape.

The sum of £12 for the Road leading from the Bridge to the Cocagne Cape.

The sum of £10 for the Road from John Savoy's to the Post Road.

The

The sum of £7 towards opening a Road from the Galloway Settlement, near to Scott's, to the Bridge over the Eel Branch.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the report be accepted, the Resolutions engrossed, and leave to sit again granted.

Mr. Weldon moved for leave to bring in a Bill, to authorise the Members of the Legislative Council and House of Assembly of this Province to frank Letters by general post during the Session of the Legislature.

The Rule of the House limiting the time for bringing in Bills being dispensed with, Leave was granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to alter the line between certain Parishes in the County of Carleton.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same, under the title of "A Bill to establish the boundary line between the Parish of Woodstock and Wakefield in the County of Carleton."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Wilson, Chairman of the Committee to try the Petition of William FitzWilliam Owen, Esquire, and others, complaining of the Election and Return of Robert Thomson, Esquire, again reported to the House that John M. Wilmot, Esquire, a Member of the said Committee, was absent yesterday at the time to which they were adjourned.

Mr. Weldon then informed the House, that Mr. Wilmot was still absent under leave, which was considered sufficient excuse.

The Honorable Mr. Crane, by command of His Excellency, laid before the House—

A copy of the Charter of King's College, furnished in pursuance of an Address to His Excellency of the 13th January this document having been delayed in consequence of the absence of the Registrar, the Honorable Mr. Street.

[*See Appendix, No. 9.*]

And he also, by like command of His Excellency, laid before the House the following documents from the Office of Commissioner and Surveyor General of Crown Lands, made up to 31st December last, in reference to the Casual and Teritorial Revenue, as required by an Address of the same date, viz.:—

Return of instalments due on five years licences, and securities for payment thereof; and

Return of instalments due on Lands sold or leased, shewing what securities have been taken for payment thereof.

[*See Appendix, No. 3.*]

Also the following Letter from that Officer:—

*"Crown Land Office, February 6, 1838.*

"SIR,

"I beg to forward to Your Excellency the accompanying returns, in answer to an Address of the House of Assembly of the 13th ultimo, so far as relates to this department, and trust they will be found correct.

"I have the honor to be, Sir,

"Your most obedient servant,

"THOMAS BAILLIE, *Com. & Sur. Gen.*"

To His Excellency Major General Sir J. HARVEY, K. C. H. & C. B.  
 &c. &c. &c.

Mr. Fisher, from the Committee appointed by this House to join the Committee of the Legislative Council, to wait upon His Excellency the Lieutenant Governor with the joint Address of condolence to Her Majesty on the demise of His late Majesty King William the Fourth, and of congratulation on Her accession to the Throne, and request that His Excellency would be pleased to transmit the same to be laid at the  
 foot

foot of the Throne, reported, that they had attended thereto, and that His Excellency was pleased to say he should have great pleasure in transmitting the same with the least possible delay.

The House adjourned until to-morrow morning at 10 o'clock.

**Wednesday, 7th February, 1838.**



*Prayers.*

Mr. Partelow, by leave, presented a Petition from the President and Directors of the Saint John Water Company, praying an amendment to their Act of Incorporation; which he read.

And the Rule of the House as to the introducing of Petitions, being dispensed with, *Ordered*, That the said Petition be received, and lie on the Table.

Mr. Beardsley, pursuant to leave, brought in a Bill to repeal an Act, intituled "An Act to authorise the Justices of the Peace of the County of Carleton to assess said County for the erection of a Lock up House at Tobique, in the said County."

And upon the question that the said Bill be read a first time, it was decided in the negative.

Read a second time,

A Bill for the protection of Copy Rights of original publications: and

A Bill to authorise the Members of the Legislative Council and House of Assembly of this Province to frank Letters by general post during the Sessions of the Legislature.

On motion of Mr. Hill,

The House went into Committee of the whole, on a Bill more effectually to prevent the abuse of Banking privileges.

Mr. Connell in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Brown,

The House went into Committee of the whole, in further consideration of a Bill to provide for the assessment of County and Parish Rates.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again before them, they made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

Mr. Wilson, Chairman of the Committee to investigate the Petition from William FitzWilliam Owen, Esquire, and others, complaining of the undue Election and return of Robert Thomson, Esquire, as a Member for the County of Charlotte, further reported to the House that John M. Wilmot, Esquire, was again absent yesterday at the time appointed for the Committee to meet.

And it being stated that Mr. Wilmot still continued absent under leave, it was considered as sufficient excuse to assign.

On motion of Mr. Fisher,

*Resolved*, That the Petition from the President and Directors of the Tobique Mill Company, presented to the House on the 23d instant, praying that the House would recommend a grant to pass for a portion of the Land purchased from the Crown at Tobique, be referred to a Select Committee to report thereon.

*Ordered*, That Mr. Fisher, the Honorable Mr. Crane and Mr. Wyer, do compose the Committee.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill relating to public Landings and Squares in Fredericton.

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, acquainted the House that the Council had passed

A Bill, intituled "An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte;" to which they request the concurrence of the Assembly.

The Bill sent down from the Council was read a first time.

Read a third time as engrossed,

A Bill for the establishment of Grammar Schools in the County of Northumberland.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The first Resolution passed in Supply yesterday, appropriating the sum of £300 at the disposal of His Excellency, towards the relief of the wives and children of the Soldiers who have been ordered on service to Canada.

*Ordered*, That Mr. Allen take the said Resolution to the Council, and desire their concurrence thereto.

Read as engrossed,

The residue of the Resolutions of Appropriation made and passed in Supply on the same day.

*Ordered*, That Mr. Allen likewise take these Resolutions to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to establish the boundary line between the Parishes of Woodstock and Wakefield in the County of Carleton.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to erect the upper part of the Parish of Wakefield into a separate and distinct Town or Parish.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Beardsley take the said Bill to the Council, and desire their concurrence thereto.

Mr. Street, by leave, presented a Petition from Abigail Porter, of Ludlow in the County of Northumberland, widow of John Porter, an old Soldier in the Revolutionary War, praying aid in her indigent circumstances; which he read.

Mr. Wyer, also by leave, presented a Petition from Catherine Young, of Grand Manan in the County of Charlotte, widow of William Young, an old Soldier in the same War, praying like aid; which he read.

And the Rule of the House as to the time of receiving Petitions, being severally in these instances dispensed with,

*Ordered*, That they be received, and referred to the Committee of Supply.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had gone into consideration of the Bill referred to them, and agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made amendments thereto, and then agreed to the same, under the title of "A Bill in addition to and in amendment of an Act, intituled 'An Act to regulate Tavernkeepers and Retailers.'"

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

Mr. Woodward, from the Committee of Trade, submitted a Report, which he read, and then handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom were referred all matters which may in any way affect the Trade of the Province, report, that they have had under consideration the Petition referred to them of W. H. Street and W. P. Ranney, praying a return of duties on China Ware, Cigars, and Ivory, imported in the Brig Clifton, from China; your Committee cannot recommend compliance with the prayer of the said Petition.

"Also the Petition of the Saint John Water Company, praying a return of duties on Iron Water Pipes, imported from Liverpool for laying down in Saint John; the Committee recommend that the amount of duties, £92 14 0, be granted to said Company.

"Also the Petition of John Chappel and Petition of John Silliker, praying aid in running a Packet between Bay de Verte and Prince Edward Island, also the Petition of John Bell and others of the Counties of Westmorland and Kent, praying aid in running a Packet between Shediac and Bedeque, in Prince Edward Island; also the Petition of W. D. W. Hubbard, of Saint John, one of the appraisers of dutiable goods in the City, praying that Legislative provision may be made for his services; your Committee cannot recommend that the prayers thereof be complied with.

"They have also had under consideration the Petition of Stephen Pine and others, Branch Pilots at the Port of Saint Andrews, praying an alteration in the Law relating to Pilots; your Committee report a Bill providing the alteration prayed for.

"All which is respectfully submitted to the House.

I. WOODWARD,  
THOS. BARLOW,  
P. STEWART,  
THOS. WYER,  
J. M. WILMOT,  
HENRY T. PARTELOW.

"Committee Room, 7th February, 1838."

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee was then handed in, and read a first time.

Mr. Woodward, from the Committee appointed to wait on His Excellency the Lieutenant Governor with the Address of this House of yesterday, requesting an account of fees received by different Officers in the Province to be laid before the House, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would direct the information to be furnished.

On motion of Mr. Allen,

The House went into Committee of the whole, in further consideration of a Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

Mr. Fisher in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, they had made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

The House adjourned until to-morrow morning at 10 o'clock.

THURSDAY,

**Thursday, 8th February, 1838.**

*Prayers.*

Read a second time,

The Bill sent from the Council, intituled "An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte;" also

A Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province."

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill to authorise the Members of the Legislative Council and House of Assembly of this Province to frank Letters by general post during the Session of the Legislature.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered,* That the Report be accepted, and the Bill engrossed.

On motion of Mr. Wyer,

The House went into Committee of the whole, on the Bill sent from the Council, intituled "An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte."

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered,* That the Report be accepted, and the Bill read a third time to-morrow.

Mr. McLeod, by leave, presented a Petition from George Harding, Junior, and Philip Nase, Trustees of Schools for the Parish of Westfield in King's County, in the year 1837, praying the Provincial allowance may be granted to enable them to pay James Miller for teaching a School at that place for a period of six months, ending the 13th January, in that year; which he read.

And the Rule of the House limiting the time for introducing Petitions, being dispensed with,

*Ordered,* That the same be received, and referred to the Select Committee on School Petitions.

On motion of Mr. Wyer,

That the House do now go into Committee of the whole, on a Bill further to amend an Act, intituled "An Act to authorise the Grand Juries in the several Counties within this Province to inspect the Public Accounts, so far as the same relates to the County of Charlotte."

To which Mr. Weldon moved as an amendment, to expunge the word "now," and insert "this day three months."

Upon the question for the amendment, it passed in the affirmative.

On motion of Mr. Brown,

The House went into Committee of the whole, on the Report from the Select Committee to inquire into the Lumbering Interests of the Province, submitted to the House on the 29th January.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the matter before them, the following Resolution was moved:—

*Resolved,* in the opinion of this Committee, That that part of the Report of the Select Committee, relative to the collecting the duties on Timber and Lumber at the time of exportation, should be referred to a Select Committee to report thereon by Bill.

To which an amendment was moved, to expunge the words "collecting the duties upon Timber and Lumber at the time of exportation," and insert those "granting of Timber licences and collecting the duty on the same." That

That an amendment was moved to the said proposed amendment, to expunge the whole of the original Resolution, and substitute the following :—

*Resolved*, as the opinion of this Committee, That it is expedient that a Select Committee should be appointed to frame and bring in a Bill or Bills, agreeably to the recommendation of the Report now under consideration.

The question being then taken upon the last proposed amendment, the Committee divided as follows :—

## YEAS.

The Hon. Mr. Speaker,  
The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Mr. Street,  
Jordan,  
Partelow,  
Taylor,  
H. T. Partelow,  
Freeze,  
L. A. Wilmot,  
Fisher,  
Hayward,  
Brown,  
Connell,  
M'Almon,  
Gilbert.

## NAYS.

Mr. Hill,  
Thomson,  
Allen,  
Woodward,  
Barlow,  
J. M. Wilmot,  
Weldon,  
End,  
Stewart,  
Wilson.

Whereupon it was carried in the affirmative.

*Ordered*, That the Report be accepted; and

On motion of the Honorable Mr. Johnston,

*Resolved*, That a Committee be appointed to prepare and bring in the Bill or Bills as recommended by the foregoing Resolution.

*Ordered*, That the Honorable Mr. Johnston. Mr. Brown, Mr. End, Mr. L. A. Wilmot, Mr. Street, Mr. Weldon and Mr. Barlow, do compose the said Committee.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had passed A Bill, intituled "An Act for erecting a part of the Parish of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish."

To which they desire the concurrence of the Assembly;

And that the Council had agreed to

The Bill for the better and more effectual securing the navigation of Newcastle River in Queen's County, without any amendment; as also

To the Resolution of Appropriation, of the 6th February instant, granting to His Excellency the Lieutenant Governor, a sum not exceeding £300 towards the relief of the Wives and Children of the Soldiers who have been ordered to Canada.

The Bill for erecting a part of the Parish of Saint Mary's and Douglas into a separate and distinct Parish, was then read a first time.

On motion of Mr. Partelow,

Whereas a Resolution passed unanimously in Committee of Supply on the 6th instant, placing the sum of £300 at the disposal of His Excellency the Lieutenant Governor, to be applied towards the relief of the Wives and Children of the non-commissioned Officers and Soldiers of Her Majesty's regular Troops ordered to Canada from this Province, for the suppression of Rebellion; which Resolution has been concurred in by the Legislative Council: And whereas it is expedient that the objects contemplated should be carried into immediate operation; therefore

*Resolved*, That a Committee be appointed to wait upon His Excellency the Lieutenant Governor for the purpose of communicating the said Resolution.

*Ordered*, That Mr. Partelow, Mr. End and Mr. M'Almon, be the Committee for that purpose.

On motion of Mr. L. A. Wilmot,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor,



Governor, praying that His Excellency will be pleased to direct Her Majesty's Attorney General to prepare, in order to be laid before the House, an account of all and every of the proceedings on behalf of the Crown against the estate of the late Receiver General of this Province or against his sureties, shewing the balance claimed by the Crown, and setting forth the results of any proceedings had in the Court of Exchequer.

*Ordered*, That Mr. L. A. Wilmot, Mr. Woodward and Mr. Hill, be a Committee to wait upon His Excellency with the Address.

Mr. Hayward, from the Committee appointed to take under consideration the subject of a Road from Oak Bay to Woodstock, submitted a Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom were referred the plan and report of John Wilkinson, Esquire, of the exploration and survey of a line of Road from Oak Bay to Woodstock, having attended to that duty, beg leave to report, that in their opinion it is not expedient to put that line on the Great Road Establishment until a further and more satisfactory exploration and survey be made; and the Committee are of opinion, that a Commissioner or Commissioners should be appointed further to explore, survey and mark out the said line, and that a sum of money should be granted to defray the expenses of the same.

"GEORGE HAYWARD, *Chairman*.

"Committee Room, 6th February, 1838."

*Ordered*, That the Report be accepted.

Mr. Thomson, a Member for the County of Charlotte, applied for leave of absence for a few days, business of importance requiring his attendance in said County.

Which was granted.

Mr. Allen, by leave, presented a Petition from Isaac Adams, of Prince William in the County of York; and also

A Petition from John Moore, of Southampton in the same County, old soldiers in the Revolutionary War, praying aid in their distressed circumstances.

Which he severally read.

And the Rule of the House limiting the time for introducing Petitions, being in this instance dispensed with,

*Ordered*, That they be received, and referred to the Committee of Supply.

The House adjourned until to-morrow morning at 10 o'clock.

### Friday, 9th February, 1838.

#### *Prayers.*

According to the Order of the Day, the Bill sent from the Council, intituled "An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte," was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Hill do return the said Bill to the Council, and acquaint them therewith.

Read a second time,

A Bill sent from the Council, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish."

Read a third time as engrossed,

A Bill in amendment of an Act, intituled "An Act to prevent desertion from His Majesty's Forces, and to punish unlawful dealings with Soldiers or Deserters."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Allen take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill the more effectually to prevent the abuse of Banking Privileges.

*Resolved*, That the Bill do pass.

*Ordered*,

*Ordered*, That Mr. Hill take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill relating to public Landings and Squares in Fredericton.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Fisher take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to alter and amend the Act for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to provide for the assessment of County and Parish Rates.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Report from Thomas Barlow and Moses H. Perley, Esquires, Commissioners appointed for providing a Dredging Machine for the River Saint John, accompanied by a plan of the same.

[See Appendix, No. 13.]

Mr. Beardsley, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 6th instant, praying that His Excellency would be pleased to direct the High Sheriff and Clerk of the Peace for the County of Carleton, to transmit to His Excellency, to be laid before this House, certain information relative to records of fines and the levying and recovering thereof, as specified in the said Address, reported, that they had attended to that duty, and that His Excellency was pleased to say he would direct the proper officer to furnish the information required.

On motion of Mr. End,

The House went into Committee of the whole, on a Bill for the protection of Copy Rights of original publications.

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same, under the title of "A Bill for the encouragement of Literature by vesting the copies of printed books in the authors or purchasers of such copies during the times therein mentioned."

*Ordered*, That the Report be accepted, and the Bill engrossed under the amended title.

On motion of Mr. Woodward,

*Resolved*, That an humble Address be presented to his Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, at as early a day as practicable, the Reports of the Deputy Commissioners of Crown Lands of the several districts, shewing the excess of Timber and Logs cut under the different licences, over the quantity allowed to be cut under such licences;  
the

the amount of stumpage received for such excess, and by whom paid for the two years past, ending 31st December last.

*Ordered*, That Mr. Woodward, Mr. Barlow and Mr. Hanington, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Wyer,

The House went into Committee of the whole, on a Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province."

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same, under the title of "A Bill in addition to an Act, intituled 'An Act to make more effectual regulations relating to Pilots within this Province, so far as regards the County of Charlotte.'"

*Ordered*, That the Report be accepted, and the Bill engrosed under the amended title.

Mr. Partelow, by leave, presented a Petition from James Gallagher, Henry Chubb, Lewis Burns, John Dougherty, and 66 others, Inhabitants of Saint John, praying that they may be incorporated under the name and style of the Saint John Orphan Benevolent Society; which he read.

And the Rule of the House as to the time of introducing Petitions being in this instance dispensed with,

*Ordered*, That it be received, and lie on the Table.

Mr. Partelow moved for leave to bring in a Bill, to incorporate *The Saint John Orphan Benevolent Society*.

The Rule of the House limiting the time for bringing in Bills being dispensed with, Leave was granted.

The said Bill being brought in, was read a first time.

On motion of Mr. Freeze,

Whereas it is desirable that a convenient and practicable division line should be ascertained between King's and Queen's Counties; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to cause a line to be surveyed and marked out from the south point of Spoon Island, due north east, till it strikes the western boundary line of the County of Westmorland, and also to survey and mark out a line from the said south point of Spoon Island, due south west, till it strikes the south west boundary line of Merritt's Manor, thence following the said line north westerly to the rear line of Andrew Hamilton's location, and from thence due south west till it strike the eastern boundary line of the County of Charlotte, with a view to ascertain the most convenient and practicable line of division between King's and Queen's Counties, to be hereafter established by an Act of the Legislature, if it should be deemed advisable; and further

*Resolved*, That this House will make provision for the same.

*Ordered*, That Mr. Freeze, Mr. M'Leod and Mr. H. T. Partelow, be a Committee to wait upon His Excellency with the Address.

Mr. L. A. Wilmot, by leave, presented a Petition from Thomas Smith, a blind infirm old Soldier, who served 29 years in the British army in Egypt, Italy and the East and West Indies, praying for some assistance to relieve him in his distressed condition; which he read.

And upon the question that the said Petition be received, and referred to the Committee of Supply, it was decided in the negative.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill to amend the Act incorporating the New Brunswick Fire Insurance Company.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. Partelow, by leave, presented a Petition from the President and Directors of the Saint John Bridge Company, praying relief by Legislative enactment and otherwise, in consequence of the very heavy loss sustained by the falling of the Bridge in August last, for the reasons stated in the said Petition; which he read.

And upon the question that the same be received, and lie on the Table, it was decided in the negative.

Read a third time as engrossed,

A Bill to authorise the Members of the Legislative Council and House of Assembly of this Province to frank Letters by general post, during the Sessions of the Legislature.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Johnston from the Committee to whom was referred the Petition of Charles O'Connor, an applicant to become a settler on the Restook Portage, submitted a Report which he read and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee appointed to take into consideration the Petition of Charles O'Connor, of Wakefield in the County of Carleton, praying Legislative aid towards the establishment of a house of entertainment on the Portage, between the Restook River and the Great Falls, having had the said Petition under their consideration, find that the prayer of the Petitioner is fully met and provided for by an Act of the Legislature, passed in the eighth year of the Reign of His Majesty King George the Fourth, intituled “An Act to appropriate a part of the public Revenue for the services therein mentioned.” The extract is as follows:

“To His Excellency the Lieutenant Governor, the sum of fifty pounds for the encouragement of a settler on that part of the Great Road of Communication leading from Fredericton to the Canada line which lies between the Restook River and the Great Falls, and the further sum of thirty pounds per annum for three years, for the encouragement of such settler; the said first mentioned sum to be paid to the said settler on his becoming bound to His Majesty with two sureties, to be approved of by the Justices of the Peace for the County of York in General or Special Sessions assembled, that he will clear five acres of land that may be appropriated to him, and will also build a house and reside there on for a term of five years from the period of entering on said land, under the direction of the Supervisor.”

“H. JOHNSTON, *Chairman*.

“*Committee Room, 9th February, 1838.*”

*Ordered*, That the Report be accepted.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Report from Benjamin L. Peters and Jacob Allen, Esquires, Commissioners associated with George Anderson, Esquire, the Supervisor of the Great Road from Saint John to Saint Andrews, of an exploration made by them of a proposed alteration in the said Road near to Musquash, accompanied by a plan of the same.

[*See Report, Appendix, No. 6.*]

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and handed them in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That there be granted

To His Excellency the Lieutenant Governor or Commander in Chief, towards improving the Great Road leading from Saint John to the Nova Scotia line:—

£900 to be laid out between Hayward's Mills and the Nova Scotia line, deducting therefrom £176 3 5 due to the Honorable E. Botsford, late Supervisor, and £21 due Sylvan Babino, for a Bridge over Hall's Creek ;

£250 towards the Bridge in the course of erection over Hampton Ferry ;

£377 to be applied in payment of the Bridge over Trout Creek, already contracted for and in course of erection ;

£223 for the Road leading from Saint John towards Hayward's Mills ; and also

£250 for that part of the Great Marsh in the County of Saint John leading from the Falls at Creighton's to Cruikshank's Mills.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £2500 for the improvement of the Great Road leading from Fredericton to Newcastle ; £1500 of which sum, or so much thereof as may be necessary, to be laid out on that part of the Road leading from Everitt's Ferry, opposite Fredericton, to Buber's Mill Stream on the Nashwaak ; £300, other part thereof, to repair and complete that part of the said Road from the Nashwaak Bridge to John M'Dermott's hill ; £415, other part thereof, for that part of the said Road lying between M'Dermott's hill and Renous River, and to improve the said Road thence to the North West Ferry ; £25, a further part thereof, to be paid to Joseph Hunter for damages in carrying the Road through his property ; £10, other part thereof, to be paid to — Johnson, on the Portage, for damages in carrying the Road through his property ; and the remainder, £250, towards the erection of a Bridge across the Bartibog River, in pursuance of a Resolution of the House of Assembly in 1837, being in return for so much of the Bye Road appropriations taken from the grant of 1836 towards the improvement of the Great Road.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £40 to enable His Excellency to pay a Messenger for the Executive Council.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £600, to be applied towards building a Light House and Keeper's House on Cape Enrage, Parish of Hopewell, County of Westmorland, and for maintaining the same ; to be taken from the Light House Fund.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £ for the contingencies of the Secretary's Office ; and further resolved, that the Secretary of the Province be required annually to lay before the House a detailed account with vouchers of all such contingent expenses.

On the question for sustaining this Resolution, the Committee divided—

YEAS, 12.

NAYS, 13.

And so it was carried in the negative.

To His Excellency the Lieutenant Governor or Commander in Chief, a sum not exceeding £200, to enable His Excellency to employ a competent person to make a partial Geological survey or exploration of certain sections or districts of the Province.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the report be accepted, the Resolutions engrossed, and leave to sit again granted.

Mr. Brown, from the Committee appointed on the 5th instant, under a Resolution passed in the Committee of the whole House on that day, upon the subject of the Message from His Excellency the Lieutenant Governor, relative to the improvement of Roads, submitted their Report, which he read and handed the same in at the Clerk's Table, where it was again read, and is as follows :—

"The Select Committee appointed to carry into effect the Resolution of the Committee of the whole House on the subject of Roads, have attended to that duty and have prepared a Bill under the title of 'A Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through this Province.'

JAMES BROWN, JUN. *Chairman*.

"Committee Room, 9th February, 1838."

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee being handed in, was read a first time.

Mr. L. A. Wilmot, from the Committee appointed to wait on His Excellency the Lieutenant Governor with the Address of yesterday, praying that His Excellency would be pleased to direct to be laid before this House, information relative to the proceedings

proceedings on the part of the Crown against the estate of the late Receiver General, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would have much pleasure in directing the information to be laid before the House.

On motion of Mr. Brown,

*Ordered*, That the Charter of King's College, laid before the House on the 6th instant, by command of His Excellency, be printed, and that one hundred copies be furnished for the use of the Members of this House.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 10th February, 1838.

#### Prayers.

Mr. Partelow, by leave, presented a Petition from James Whitney, of the City of Saint John, praying a grant may pass refunding him the amount of duties paid on Steam Machinery imported from the United States; and also

A Petition from the said James Whitney, praying the usual grant may pass for carrying the Mail between the said City, and Digby and Annapolis in Nova Scotia.

He having severally read the same,

And the Rule of the House as to the introducing of Petitions, being dispensed with, *Ordered*, That they be received, and referred to the Committee of Supply.

Read a second time,

A Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through this Province: and

A Bill to incorporate *The Saint John Orphan Company*.

On motion of Mr. Woodward,

That the House do now go into Committee of the whole, on a Bill to repeal the Laws relating to Wharfage and Cranage, and for establishing rates of Wharfage and Cranage on ships and other vessels, and on merchandise; whereupon

Mr. Partelow moved as an amendment to expunge the word "now," and insert "at the next Session of the General Assembly."

And upon the question, it was carried in the affirmative.

On motion of the Honorable Mr. Crane,

Whereas an Address of this House was made to His Excellency the Lieutenant Governor on the 17th ultimo, humbly requesting he would be pleased to bring under the consideration of Her Majesty's Government the important subject of an accurate survey of the Bay of Fundy being made as soon as convenient: And whereas the neighbouring Province of Nova Scotia is deeply interested in this measure; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to communicate a copy of said Address of the 17th January, to the Lieutenant Governor of Nova Scotia, with a request that he will bring the subject under the consideration of the Legislature of that Province.

*Ordered*, That the Honorable Mr. Crane, Mr. J. M. Wilmot and Mr. Woodward, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Connell,

The House went into Committee of the whole, on a Bill to authorise the Magistrates of the County of Carleton to levy an assessment to pay off the County debt.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

"That the further consideration of the said Bill be postponed until the next Session of the General Assembly."

And upon the question, the Committee divided as follows:—

YEAS.

YEAS.  
The Hon. Mr. Speaker,  
Mr. Allen,  
Hayward,  
Woodward,  
Fisher,  
Freeze,  
M'Leod,  
Beardsley,  
Stewart,  
Palmer,  
Brown.

NAYS.  
Mr. Partelow,  
Jordan,  
Street,  
Weldon,  
Hanington,  
M'Almon,  
J. M. Wilmot,  
H. T. Partelow,  
Taylor,  
Connell,  
Wyer,  
End.

Whereupon it was decided in the negative.

And the Committee then went through the Bill, and agreed to the same under the title of "A Bill to authorise the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County debt."

*Ordered*, That the Report be accepted, and the Bill engrossed, under the amended title.

Mr. Woodward, from the Committee appointed to examine into the Petition of Alexander Wedderburn, laid before the House on the 1st instant by command of His Excellency, and praying an increase of salary as Emigrant Agent, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom was referred the Resolution of the House of the 5th instant, respecting the Petition of Alexander Wedderburn, the Emigrant Agent at the Port of Saint John, report, that they consider the present salary of that Officer quite inadequate to the important duties devolving upon him, and recommend his case to the favorable consideration of the House.

"I. WOODWARD,  
WILLIAM END,  
WILLIAM M'LEOD.

"Committee Room, 10th February, 1838."

*Ordered*, That the Report be accepted; and  
On motion of Mr. Woodward; further

*Ordered*, That the said Report be referred to the Committee of Supply.

The House adjourned until Monday morning next at 10 o'clock.

### **Monday, 12th February, 1838.**

#### *Prayers.*

Read a third time as engrossed,

A Bill to amend the Act incorporating the New Brunswick Fire Insurance Company.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. J. M. Wilmot take the said Bill to the Council, and desire their concurrence thereto.

The Honorable Mr. Crane, by leave, presented a Petition from John Ogden, of Sackville in the County of Westmorland, an old Soldier in the Revolutionary War; also

A Petition from Susan Boyle, of same place, widow of Charles Boyle, an old Soldier in the same War, severally praying aid in their indigent circumstances.

Having severally read the same.

And the Rule of the House as to introducing Petitions, being dispensed with,

*Ordered*, That they be received, and referred to the Select Committee for taking such Petitions into consideration.

Mr. Freeze, by leave, presented a Petition from William Slader, of Sussex in King's County, an old Soldier in the same War, praying like aid; which he read.

And the Rule of the House being dispensed with,

*Ordered*, That this Petition be received, and referred to the same Committee.

Mr.

Mr. Connell, by leave, presented a Petition from Sarah Crane, of Woodstock in the County of Carleton, widow of Daniel Crane, an old Soldier in the Revolutionary War, praying like aid ; which he read.

And the like Rule being dispensed with,

*Ordered*, That the said Petition be received, and referred to the same Committee.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill to incorporate *The Saint John Orphan Benevolent Society*.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had made an amendment thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Hanington,

*Ordered*, That the Report from the Agricultural Committee, presented to the House on the 26th day of January last, be referred to the Committee of Supply.

Mr. Wyer, by leave, presented a Petition from John Cunningham, of Grand Manan in the County of Charlotte, praying to be reimbursed amount expended in the erection of a School House at that place ; which he read.

And upon the question that the said Petition be received, and referred to the Committee of Supply, it was decided in the negative.

On motion of the Honorable Mr. Crane,

*Ordered*, That the Postmaster be required to furnish to the Clerk of this House, weekly accounts of the Postages chargeable to each Member.

On motion of Mr. Hanington,

The House went into Committee of the whole, on a Bill for granting bounties for the encouragement of Agriculture.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 13th February, 1838.

### *Prayers.*

Mr. Street, from the Committee appointed on the 29th January last, to take under consideration the Message from His Excellency the Lieutenant Governor upon the subject of a Master of the Rolls, submitted their Report, and he having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

“The Committee to whom was referred that part of His Excellency the Lieutenant Governor's Message of the 18th January last, relative to making a permanent provision for a Master of the Rolls, to be appointed for the Court of Chancery, report, that after giving the subject every consideration, they are of opinion that the Court of Chancery is a Tribunal so necessary for the security of the equitable rights of parties, and for preserving immaculate those sound principles of Justice so essential and desirable to every well organized Society, that the Committee conceive it ought to be one of the first objects of the Legislature to place this Court upon such a footing as to render it useful and efficient.

“That the duties attached to the Chancellor or Judge of this Court, the Committee are of opinion, will require the undivided attention of a Professional man. That His Excellency the Lieutenant Governor being *ex officio* the Chancellor of the Province, the Judicial business of this Court has of necessity hitherto fallen upon the Common Law Judges of the Supreme Court, who, under the present constitution of the Court of Chancery are the assessors thereof. The Committee are of opinion that the present mode



of conducting the business of the Court is liable to many objections. In the first place the duties of the Common Law Judges must in a variety of instances clash with those as the assessors in Chancery, so much so as to render the offices in many cases incompatible. In the second place their duties as Common Law Judges being paramount to their duties as assessors, the performance of the latter is always subservient to the former; and as the labours of the Judges of the Supreme Court have now, in that capacity alone, become so arduous and extensive, and must yearly become more so as the population and wealth of the country increase, it has become quite impossible for the Judges of the Supreme Court (if there were no other objection) to devote that time and attention to the business of the Court of Chancery which is necessary for the due administration of Justice therein; the consequence is that the business of that Court is greatly impeded and of necessity delayed, so much so, that unless a change takes place, it must soon, it is feared, amount to a denial of Justice.

"That to render the Court of Chancery properly effective, it ought to be here as in England at all times open, instead of merely at the stated terms of the Supreme Court.

"That to remove the above mentioned objections and obstacles to the due administration of Justice in this Court, and to render it as efficient and useful as it ought to be for public convenience, the Committee are of opinion that the Court should be re-organized; that the Judges of the Supreme Court should no longer exercise Judicial functions therein, and that their place should be supplied by a Vice Chancellor or Master of the Rolls, on whom should devolve the Judicial duties at present exercised by the assessors.

"That to provide for an Officer of this description (who in the opinion of this Committee should be a man of high legal attainments) would probably cost the Province from £750 to £800 per annum, an object of no consideration in comparison with the paramount importance of perfecting a Tribunal, so highly necessary and important to the due and faithful administration of Justice.

"The Committee, therefore, earnestly recommend the subject to the favorable consideration of the House, and that such provision be made as to enable His Excellency the Lieutenant Governor to appoint a Master of the Rolls to the Court of Chancery in this Province; and the Committee further report, that they have prepared a Bill embracing the object recommended in this report, under the title of 'A Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.'

"All which is respectfully submitted.

"J. A. STREET,  
WILLIAM END,  
THOMAS WYER,  
JAMES BROWN, JUN.

"Committee Room, 12th February, 1838."

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee being then handed in, was read a first time.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

**"New Brunswick.**

*"Message to the House of Assembly, 13th February, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor submits to the House of Assembly a Report of the Commissioners, appointed in pursuance of Resolutions of the Legislative Council and House of Assembly, to run out and ascertain the line of division between this Province and the Province of Nova Scotia, with an account of the expense incurred, amounting to £162 2 5½, for which the Lieutenant Governor recommends to the House to make provision.

"J. H."

[*See Report, Appendix, No. 14.*]

Read a third time as engrossed,

A Bill for the encouragement of Literature by vesting the copies of printed books in the authors or purchasers of such copies during the times therein mentioned.

*Resolved*, That the Bill do pass.

*Ordered*,

*Ordered*, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed the 9th instant.

*Ordered*, That Mr. Woodward take these Resolutions to the Council, and desire their concurrence thereto.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 9th instant, praying that there be laid before the House reports from the Deputy Commissioners of Crown Lands in the different districts of the excess of Timber cut during the two past years, reported, that they had attended thereto, and that His Excellency was pleased to say he would direct the information to be furnished.

Mr. Freeze, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with an Address from this House of the 9th instant, praying that a certain division line may be run out between King's and Queen's Counties, reported, that they had attended thereto, and that His Excellency was pleased to say he would with pleasure cause the wishes of the House to be carried into effect.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Resolutions of Appropriation, dated the 6th day of February instant.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House—

Reports from the Board of Audit upon various accounts of expenses incurred at the Crown Land and Surveyor General Departments, audited during the past year.

[*See Appendix, No. 3.*]

On motion of Mr. Hill,

*Ordered*, That a Report from a Select Committee appointed in March 1836, to collect some general information as to the opening of Roads throughout the Province, and which was submitted to the last House of Assembly on the 13th January 1837, be referred to a Committee of the whole House on Thursday next.

Mr. Allen, from the Committee appointed to take under consideration the various Petitions from old Soldiers, submitted a Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

“The Committee to whom were referred the Petitions of sundry old Soldiers and Widows of Soldiers of the Revolutionary War, having attended to that duty, report as follows:

“That acting under the Resolution of the House of the 28th February, 1837, they proceeded to the examination of one hundred Petitions, of which number they find the following are drawn up in accordance with the said Resolution:

James Appleby, Queen's.  
James Davidson, Charlotte.  
Angus M'Fee, Westmorland.  
Neil M'Bean, Charlotte.  
James Emerson, Charlotte.  
Richard Budd, Westmorland.  
Hezekiah Lyon, Westmorland.  
John Gyberson, Carleton.  
Gabriel Davenport, Carleton.  
Thomas Thornton, York.  
Joseph Hoyte, Queen's.  
Bradbury Mills, King's.  
Robert Robertson, Charlotte.  
Cornelius Ackerman, York.  
John Dunlop, York.  
Charles Hazleton, York.  
Peter Allen, York.

William Harper, York.  
Andrew Rush, York.  
Richard Jourdin, Charlotte.  
Martin Austin, King's.  
Duncan M'Farlan, Charlotte.  
Musco Wright, Carleton.  
David Quigley, Charlotte.  
Æneas Lapee, King's.  
John Kennedy, York.  
Donald M'Donald, York.  
David Bruce, York.  
Alexander M'Kenzie, York.  
William M'Pherson, York.  
James Ross, York.  
Dugald Clarke, Charlotte.  
Roger Welsh, Saint John.  
Enoch Groom, King's.

John

John M'Call, Charlotte.  
 Michael Dennison, York.  
 Patrick Van, York.  
 Holden Turner, York.  
 William Segee, York.  
 Nathaniel Seabrooks, Carleton.  
 John Dick, Charlotte.  
 Neal M'Nichol, Charlotte.  
 William Clarke, Northumberland.  
 John Underwood, Westmorland.  
 Charles Foster, Carleton.  
 Armion Hubble, Sunbury.  
 Benjamin M'Donald, Sunbury.  
 John M'Donald, King's.  
 Mordecai Starkey, Queen's.  
 Isaac Mills, York.  
 Benjamin Collins, York.  
 James Dyer, Carleton.  
 Jacob Tompkins, Carleton.  
 Hicks Seamans, Sunbury.  
 Elias Seacord, Queen's.

Alexander M'Lean, Northumberland.  
 Joseph Madgett, York.  
 John Manzer, York.  
 William Mills, York.  
 Lyman Gray, York.  
 John Pond, York.  
 Abigail Sutherland, York.  
 Jane M'Curdy, Westmorland.  
 Ann Grant, York.  
 Catherine Stewart, York.  
 Elizabeth Green, Queen's.  
 Catherine Fero, York.  
 Mary Horton, York.  
 Patience Hasty, Charlotte.  
 Ann Munro, Queen's.  
 Sarah Foster, Queen's.  
 Deliverance Cole, Queen's.  
 Mary Kelly, York.  
 Sarah Bate, York.  
 Mary Buckett, Charlotte.  
 Mary Ogden, Queen's.

" They further report, that the following Petitions are not in accordance with the said Resolution, and they submit them to the consideration of the House.

John Baldwin, Charlotte.  
 Thomas Wood, Charlotte.  
 Joshua Stone, York.  
 Seth Grizzle, York.  
 James Flint, York.  
 William West, York.  
 George Sinnot, Carleton.  
 Anthony Woodland, York.

William Cornelison, York.  
 Frederick Weaver, Northumberland.  
 Barnet Manzer, York.  
 Asher Vail, Queen's.  
 Ralph Loudon, King's.  
 Adam King, King's.  
 John M'Laughlan, Carleton.  
 Michael Hawkins, York.

" And they further report, that in their opinion the following Petitions should be rejected.

Charles Pheley, Queen's.  
 Peter M'Allum, Charlotte.  
 John Black, Charlotte.  
 William Hurley, Charlotte.  
 Thomas Woods, Charlotte.

William Wright.  
 James Worden, King's.  
 James Canter, Carleton.  
 Nicholas Sewell, Sunbury.

" And further, the Committee recommend that in future no claims be entertained by the House, unless allowed and approved by the Justices of the Peace at the General Sessions of the County in which the applicant resides, and certified by the respective Clerks, as they have reason to believe that many persons who are not indigent are now availing themselves of the bounty of the Legislature.

" JOHN ALLEN,  
 THOS. WYER,  
 WILLIAM END,  
 W. WILSON,

WM. M'LEOD, } I object, however, to the  
 B. C. BEARDSLEY. } part of Report requiring  
 the Justices in Session to  
 certify.

" Committee Room, 12th February, 1838."

Ordered, That the Report be accepted; and

On motion of Mr. Partelow; further

Ordered, That the said Report be referred to the Committee of Supply.

Mr. Partelow communicated to the House various documents from George Matthew, Esquire, Principal Governor and Superintendent of the temporary Lunatic Asylum at Saint John, viz. :—

Superintendent's

Superintendent's Report;  
Record of Lunatics in the Asylum; and  
Account of Expenditure.

*Ordered*, That they lie on the Table.

[*See Report, Appendix, No. 11.*]

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and handed them in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted for

### **Northumberland Bye Roads.**

The sum of £210 towards building a Bridge across the Bartibog River, on the line of communication between Newcastle and Tracadie.

The sum of £85 to pay John Williston, the balance due him for building a Bridge across the little branch of Black River.

The sum of £180 for the Road from Bartibog to Tabisintac ; the same to be expended from Oak Point downwards.

The sum of £10 towards building a Bridge across the outlet of Davidson's Marsh and improving the Road through the Oak Point Settlement.

The sum of £20 for the Road on the east side of the Big Bartibog River, from Moodey's Point to the head of the Tide.

The sum of £90 towards opening and making the Road from George Williston's Farm to Eel River.

The sum of £20 towards improving the Road from Horton's Creek to Kingston's Farm, on the Bay du Vin River.

The sum of £25 towards opening and improving the Road on the north side of Bay du Vin River, from the Richibucto Road down towards the Mills.

The sum of £20 to improve and straighten the Road from the Richibucto Road, on the north side of Black River, to the site of the new Bridge on said Black River.

The sum of £20 towards opening and improving the Road from the site of the new Bridge across Black River to Napan River, near M'Knight's Grist Mill.

The sum of £10 to assist in making the Road from the little Black River to Fowlie's Grist Mill, and from thence to the upper settler on that River.

The sum of £15 for the Road from M'Innis' Creek to Point Aux Car.

The sum of £5 from Thomas Hanney's Farm to M'Caully's Farm on the Napan River.

The sum of £10 for the Road from M'Innis' Creek to the Richibucto Road, on the south side of Napan River.

The sum of £35 towards building a Slip at the Ferry landing in the Parish of Chatham, opposite the Town of Newcastle.

The sum of £15 to continue and connect the rear Road in the Parish of Chatham to the Road leading to the back Lots in rear of John Henderson's Farm.

The sum of £5 to open and make the Road to John Creighton's Farm on the north side of Napan River, from the Road leading from Saint John's Church, Chatham.

The sum of £10 for the Road in front of the second tier of Lots to the third tier of Lots in rear of Saint Paul's Church, Chatham.

The sum of £10 towards improving the Road to the rear Lots, next below the Parsonage, Chatham.

The sum of £30 for the Road from the west end of the new Bridge across Bartibog to the main Road.

The sum of £10 for the Road on the west side of Bartibog from Collector Wright's Farm up.

The sum of £10 for the Road from Corry's on the Big Bartibog to Green Brook.

The sum of £10 for the Road between Lots No. 54 and 55 in the Parish of Newcastle, to the second and third tier of Lots.

The sum of £10 to improve the Road from Moorfield to Stothart's Meadows.

The sum of £10 for the Road from Douglastown to Moorfield's.

The sum of £20 to complete the Road in rear of the front Lots, from Henderson's Mill Cove to Douglastown.

The sum of £60 for the Road from Newcastle to Chaplain's Island.

The sum of £35 to open the Road from Charles Stewart's Farm to Fraser's Mill Stream.

The sum of £20 to open the Road from James Hutcheson's Ferry to the main Road below Fraser's Mill Stream.

The sum of £90 towards opening and completing the Road from John Minzie's Farm to Ledden's Farm at the head of the Tide, on the north side of the Northwest; £17 15s. of this sum to be paid Alexander Goodfellow, to reimburse him for money paid by him to Nathaniel Spaulding for making a Road across a swamp at the west end of the Mill Stream Bridge, and the further sum of £7 15 8 of the said amount to the said A. Goodfellow, being balance due him on last year's account.

The sum of £20 towards exploring and opening a Road from Chaplain's Island on the southwest side of the Northwest up to William Allison's Farm.

The sum of £30 for the Road from Wild Cat Brook through the Indian reserve up to Peabody's New Richmond Farm.

The sum of £25 for the Road from Cuppage and White's Farm to James Holmes' on the little Southwest, to commence at James Holmes'.

The sum of £40 for the Road from Beaubear Point to Cuppage and White's on the south side of the Northwest.

The sum of £20 from John Goodfellow's through the Williamstown Settlement to the Southwest.

The sum of £10 for the Road from the lower Williamstown Settlement to the main Northwest, near Jared Tozer's.

The sum of £50 for the Road from George Flit's Farm to Barnaby's River through the Newland Settlement.

The sum of £25 for the Road between Nelson Village and Barnaby's River.

The sum of £15 for the Road from Sutton's barn to the third tier of Lots.

The sum of £10 for the Road from Barnaby's River to Robert Leslie's Farm on the south side of the Southwest.

The sum of £25 for the Road from Robert Leslie's Farm towards Indian Town on the south side of the River.

The sum of £15 for the Road on the south side of Barnaby's River to the Semiwan Ridge.

The sum of £20 towards opening and making the Road on the north side of Renous River between Patrick Wheeler's and Indian Town, lately explored and laid out by Thomas Underhill.

The sum of £35 towards opening and making the new line of Road from John Lee's Farm to James Donaldson's on Renous River.

The sum of £20 from Doak and M'Laggan's Mills to the mouth of the Dungarvin, on the Renous River.

The sum of £15 towards making the Road from Doak and M'Laggan's Mills to the upper Settlement on Bartholomew's River.

The sum of £30 towards opening the new line of Road on Cain's River, lately laid out by Thomas Underhill; £12 17 6 of this sum to be paid to Thomas Underhill for balance due him on last year's account.

The sum of £20 for the Road from William Hogan's to Robert Doak's in the Parish of Blissfield.

The sum of £10 towards improving the Road from the new Bridge across Big Black River to the Bridge across Little Black River.

The sum of £20 from Suter's Hill to Wilson's on the old Road on the south side of the Southwest.

*Resolved,*

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the Widows of the same class of persons in indigent circumstances, viz :—

To Mary Banks, widow of the late Mr. William Banks, the sum of £20.  
 To Angus M'Fee, the sum of £10.  
 To Hezekiah Lyon, the sum of £10.  
 To John Underwood, the sum of £10.  
 To James Flint, the sum of £10.  
 To Joseph Madgett, the sum of £10.  
 To Isaac Adams, the sum of £10.  
 To Enoch Groom, the sum of £10.  
 To Dougald Clarke, the sum of £10.  
 To William M'Pherson, the sum of £10.  
 To Alexander M'Kenzie, the sum of £10.  
 To James Ross, the sum of £10.  
 To John Kennedy, the sum of £10.  
 To Patrick Van, the sum of £10.  
 To William Hurley, the sum of £10.  
 To Donald M'Donald, the sum of £10.  
 To David Bruce, the sum of £10.  
 To Gersham Bonnell, the sum of £10.  
 To Michael Dennison, the sum of £10.  
 To Holden Turner, the sum of £10.  
 To John Baldwin, the sum of £10.  
 To Mrs. Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10.  
 To Ruth Baird, the sum of £10.  
 To John Dunlap, the sum of £10.  
 To Cornelius Ackerman, the sum of £10.  
 To Musco Wright, the sum of £10.  
 To Duncan M'Farlan, the sum of £10.  
 To Martin Austin, the sum of £10.  
 To Richard Jourdin, the sum of £10.  
 To Andrew Rush, the sum of £10.  
 To William Harper, the sum of £10.  
 To Richard Budd, the sum of £10.  
 To James Greerson, the sum of £10.  
 To Neil M'Bean, the sum of £10.  
 To James Davidson, the sum of £10.  
 To James Appleby, the sum of £10.  
 To Mary Buckett, the sum of £10.  
 To Mary Ogden, the sum of £10.  
 To Sarah Bate, the sum of £10.  
 To Mary Kelly, the sum of £10.  
 To Sarah Foster, the sum of £10.  
 To Deliverance Cole, the sum of £10.  
 To John Manzer, the sum of £10.  
 To John Pond, the sum of £10.  
 To William Mills, the sum of £10.  
 To Alexander M'Lean, the sum of £10.  
 To Roger Welsh, the sum of £10.  
 To Æneas Lapee, the sum of £10.  
 To David Quigley, the sum of £10.  
 To Elias Seacord, the sum of £10.  
 To Hicks Seamans, the sum of £10.  
 To Jacob Tompkins, the sum of £10.  
 To James Dyer, the sum of £10.  
 To Benjamin Collins, the sum of £10.  
 To Isaac Mills, the sum of £10.

To

The sum of £10 for the Road from Corry's on the Big Bartibog to Green Brook.

The sum of £10 for the Road between Lots No. 54 and 55 in the Parish of Newcastle, to the second and third tier of Lots.

The sum of £10 to improve the Road from Moorfield to Stothart's Meadows.

The sum of £10 for the Road from Douglastown to Moorfield's.

The sum of £20 to complete the Road in rear of the front Lots, from Henderson's Mill Cove to Douglastown.

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The sum of £10 for the Road from the lower Williamstown Settlement to the main Northwest, near Jared Tozer's.

The sum of £50 for the Road from George Flit's Farm to Barnaby's River through the Newland Settlement.

The sum of £25 for the Road between Nelson Village and Barnaby's River.

The sum of £15 for the Road from Sutton's barn to the third tier of Lots.

The sum of £10 for the Road from Barnaby's River to Robert Leslie's Farm on the south side of the Southwest.

The sum of £25 for the Road from Robert Leslie's Farm towards Indian Town on the south side of the River.

The sum of £15 for the Road on the south side of Barnaby's River to the Semiwan Ridge.

The sum of £20 towards opening and making the Road on the north side of Renous River between Patrick Wheeler's and Indian Town, lately explored and laid out by Thomas Underhill.

The sum of £35 towards opening and making the new line of Road from John Lee's Farm to James Donaldson's on Renous River.

The sum of £20 from Doak and M'Laggan's Mills to the mouth of the Dungarvin, on the Renous River.

The sum of £15 towards making the Road from Doak and M'Laggan's Mills to the upper Settlement on Bartholomew's River.

The sum of £30 towards opening the new line of Road on Cain's River, lately laid out by Thomas Underhill; £12 17 6 of this sum to be paid to Thomas Underhill for balance due him on last year's account.

The sum of £20 for the Road from William Hogan's to Robert Doak's in the Parish of Blissfield.

The sum of £10 towards improving the Road from the new Bridge across Big Black River to the Bridge across Little Black River.

The sum of £20 from Suter's Hill to Wilson's on the old Road on the south side of the Southwest.

*Resolved,*

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the Widows of the same class of persons in indigent circumstances, viz :—

To Mary Banks, widow of the late Mr. William Banks, the sum of £20.  
 To Angus M'Fee, the sum of £10.  
 To Hezekiah Lyon, the sum of £10.  
 To John Underwood, the sum of £10.  
 To James Flint, the sum of £10.  
 To Joseph Madgett, the sum of £10.  
 To Isaac Adams, the sum of £10.  
 To Enoch Groom, the sum of £10.  
 To Dougald Clarke, the sum of £10.  
 To William M'Pherson, the sum of £10.  
 To Alexander M'Kenzie, the sum of £10.  
 To James Ross, the sum of £10.  
 To John Kennedy, the sum of £10.  
 To Patrick Van, the sum of £10.  
 To William Hurley, the sum of £10.  
 To Donald M'Donald, the sum of £10.  
 To David Bruce, the sum of £10.  
 To Gersham Bonnell, the sum of £10.  
 To Michael Dennison, the sum of £10.  
 To Holden Turner, the sum of £10.  
 To John Baldwin, the sum of £10.  
 To Mrs. Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10.  
 To Ruth Baird, the sum of £10.  
 To John Dunlap, the sum of £10.  
 To Cornelius Ackerman, the sum of £10.  
 To Musco Wright, the sum of £10.  
 To Duncan M'Farlan, the sum of £10.  
 To Martin Austin, the sum of £10.  
 To Richard Jourdin, the sum of £10.  
 To Andrew Rush, the sum of £10.  
 To William Harper, the sum of £10.  
 To Richard Budd, the sum of £10.  
 To James Greerson, the sum of £10.  
 To Neil M'Bean, the sum of £10.  
 To James Davidson, the sum of £10.  
 To James Appleby, the sum of £10.  
 To Mary Buckett, the sum of £10.  
 To Mary Ogden, the sum of £10.  
 To Sarah Bate, the sum of £10.  
 To Mary Kelly, the sum of £10.  
 To Sarah Foster, the sum of £10.  
 To Deliverance Cole, the sum of £10.  
 To John Manzer, the sum of £10.  
 To John Pond, the sum of £10.  
 To William Mills, the sum of £10.  
 To Alexander M'Lean, the sum of £10.  
 To Roger Welsh, the sum of £10.  
 To Æneas Lapee, the sum of £10.  
 To David Quigley, the sum of £10.  
 To Elias Seacord, the sum of £10.  
 To Hicks Seamans, the sum of £10.  
 To Jacob Tompkins, the sum of £10.  
 To James Dyer, the sum of £10.  
 To Benjamin Collins, the sum of £10.  
 To Isaac Mills, the sum of £10.

To



The sum of £10 for the Road from Corry's on the Big Bartibog to Green Brook.

The sum of £10 for the Road between Lots No. 54 and 55 in the Parish of Newcastle, to the second and third tier of Lots.

The sum of £10 to improve the Road from Moorfield to Stothart's Meadows.

The sum of £10 for the Road from Douglastown to Moorfield's.

The sum of £20 to complete the Road in rear of the front Lots, from Henderson's Mill Cove to Douglastown.

The sum of £60 for the Road from Newcastle to Chaplain's Island.

The sum of £35 to open the Road from Charles Stewart's Farm to Fraser's Mill Stream.

The sum of £20 to open the Road from James Hutcheson's Ferry to the main Road below Fraser's Mill Stream.

The sum of £90 towards opening and completing the Road from John Minzie's Farm to Ledden's Farm at the head of the Tide, on the north side of the Northwest; £17 15s. of this sum to be paid Alexander Goodfellow, to reimburse him for money paid by him to Nathaniel Spaulding for making a Road across a swamp at the west end of the Mill Stream Bridge, and the further sum of £7 15 8 of the said amount to the said A. Goodfellow, being balance due him on last year's account.

The sum of £20 towards exploring and opening a Road from Chaplain's Island on the southwest side of the Northwest up to William Allison's Farm.

The sum of £30 for the Road from Wild Cat Brook through the Indian reserve up to Peabody's New Richmond Farm.

The sum of £25 for the Road from Cuppage and White's Farm to James Holmes' on the little Southwest, to commence at James Holmes'.

The sum of £40 for the Road from Beaubear Point to Cuppage and White's on the south side of the Northwest.

The sum of £20 from John Goodfellow's through the Williamstown Settlement to the Southwest.

The sum of £10 for the Road from the lower Williamstown Settlement to the main Northwest, near Jared Tozer's.

The sum of £50 for the Road from George Flit's Farm to Barnaby's River through the Newland Settlement.

The sum of £25 for the Road between Nelson Village and Barnaby's River.

The sum of £15 for the Road from Sutton's barn to the third tier of Lots.

The sum of £10 for the Road from Barnaby's River to Robert Leslie's Farm on the south side of the Southwest.

The sum of £25 for the Road from Robert Leslie's Farm towards Indian Town on the south side of the River.

The sum of £15 for the Road on the south side of Barnaby's River to the Semiwan Ridge.

The sum of £20 towards opening and making the Road on the north side of Renous River between Patrick Wheeler's and Indian Town, lately explored and laid out by Thomas Underhill.

The sum of £35 towards opening and making the new line of Road from John Lee's Farm to James Donaldson's on Renous River.

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The sum of £10 towards improving the Road from the new Bridge across Big Black River to the Bridge across Little Black River.

The sum of £20 from Suter's Hill to Wilson's on the old Road on the south side of the Southwest.

*Resolved,*

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the Widows of the same class of persons in indigent circumstances, viz :—

To Mary Banks, widow of the late Mr. William Banks, the sum of £20.  
To Angus M'Fee, the sum of £10.  
To Hezekiah Lyon, the sum of £10.  
To John Underwood, the sum of £10.  
To James Flint, the sum of £10.  
To Joseph Madgett, the sum of £10.  
To Isaac Adams, the sum of £10.  
To Enoch Groom, the sum of £10.  
To Dougald Clarke, the sum of £10.  
To William M'Pherson, the sum of £10.  
To Alexander M'Kenzie, the sum of £10.  
To James Ross, the sum of £10.  
To John Kennedy, the sum of £10.  
To Patrick Van, the sum of £10.  
To William Hurley, the sum of £10.  
To Donald M'Donald, the sum of £10.  
To David Bruce, the sum of £10.  
To Gersham Bonnell, the sum of £10.  
To Michael Dennison, the sum of £10.  
To Holden Turner, the sum of £10.  
To John Baldwin, the sum of £10.  
To Mrs. Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10.  
To Ruth Baird, the sum of £10.  
To John Dunlap, the sum of £10.  
To Cornelius Ackerman, the sum of £10.  
To Musco Wright, the sum of £10.  
To Duncan M'Farlan, the sum of £10.  
To Martin Austin, the sum of £10.  
To Richard Jourdin, the sum of £10.  
To Andrew Rush, the sum of £10.  
To William Harper, the sum of £10.  
To Richard Budd, the sum of £10.  
To James Greerson, the sum of £10.  
To Neil M'Bean, the sum of £10.  
To James Davidson, the sum of £10.  
To James Appleby, the sum of £10.  
To Mary Buckett, the sum of £10.  
To Mary Ogden, the sum of £10.  
To Sarah Bate, the sum of £10.  
To Mary Kelly, the sum of £10.  
To Sarah Foster, the sum of £10.  
To Deliverance Cole, the sum of £10.  
To John Manzer, the sum of £10.  
To John Pond, the sum of £10.  
To William Mills, the sum of £10.  
To Alexander M'Lean, the sum of £10.  
To Roger Welsh, the sum of £10.  
To Æneas Lapee, the sum of £10.  
To David Quigley, the sum of £10.  
To Elias Seacord, the sum of £10.  
To Hicks Seamans, the sum of £10.  
To Jacob Tompkins, the sum of £10.  
To James Dyer, the sum of £10.  
To Benjamin Collins, the sum of £10.  
To Isaac Mills, the sum of £10.

To

To Mordecai Starkey, the sum of £10.  
 To Catharine Stewart, the sum of £10.  
 To Ann Grant, the sum of £10.  
 To Abigail Sutherland, the sum of £10.  
 To Lyman Gray, the sum of £10.  
 To John Macdonald, the sum of £10.  
 To Benjamin Macdonald, the sum of £10.  
 To Armion Hubble, the sum of £10.  
 To Charles Foster, the sum of £10.  
 To Ann Munro, the sum of £10.  
 To William Clarke, the sum of £10.  
 To Neil M'Nichol, the sum of £10.  
 To John Dick, the sum of £10.  
 To Nathaniel Seabrooks, the sum of £10.  
 To Patience Hasty, the sum of £10.  
 To Mary Horton, the sum of £10.  
 To Catharine Fero, the sum of £10.  
 To Elizabeth Green, the sum of £10.  
 To William Segee, the sum of £10.  
 To Peter Allen, the sum of £10.  
 To John M'Coll, the sum of £10.  
 To Robert Robertson, the sum of £10.  
 To Bradbury Mills, the sum of £10.  
 To Joseph Hoyt, the sum of £10.  
 To Thomas Thornton, the sum of £10.

*Resolved*, That there be granted to His Excellency the Lieutenant Governoe or Commander in Chief, the following sums, to pay meritorious old Soldiers of the Revolutionary War, agreeably to the prayers of their respective Petitions:—

To Michael Hawkins, the sum of £10.  
 To John M'Laughlan, the sum of £10.  
 To Adam King, the sum of £10.  
 To Ralph Loudon, the sum of £10.  
 To Asher Vail, the sum of £10.  
 To Bernard Manzer, the sum of £10.  
 To Frederick Weaver, the sum of £10.  
 To William Cornelison, the sum of £10.  
 To Anthony Woodland, the sum of £10.  
 To George Sinnot, the sum of £10.  
 To William West, the sum of £10.  
 To Seth Griswold, the sum of £10.  
 To Joshua Stone, the sum of £10.  
 To Thomas Wood, the sum of £10.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 14th February, 1838.

#### *Prayers.*

Mr. Weldon, by leave, presented a Petition from Thomas W. Wood, of Richibucto in the County of Kent, praying that a certain voucher connected with the Treasurer's accounts for the year 1834, and now on the files of the House, may be delivered over to him; which he read.

*Ordered*, That the said Petition be received, and lie on the Table; and

On motion of Mr. Weldon; further

*Ordered*, That the Clerk of this House do deliver over to the said Thomas W. Wood the voucher prayed for in the said Petition.

Mr.

Mr. M'Leod, by leave, presented a Petition from William Cox, of Springfield in King's County, an old Soldier in the Revolutionary War, praying aid in his indigent circumstances; which he read.

And the Rule of the House as to the introducing of Petitions, being dispensed with,  
*Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Read a second time,

A Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House—

Report from Her Majesty's Attorney General of all and every of the proceedings on behalf of the Crown against the Estate of the late Receiver General or against his Sureties, together with a statement shewing the balance claimed, furnished in pursuance of an Address to His Excellency of the 8th instant, and which is as follows:—

*"Fredericton, 12th February, 1838.*

"MAY IT PLEASE YOUR EXCELLENCY,

"In obedience to Your Excellency's command, in compliance with an Address from the House of Assembly, dated 8th of February instant, requesting 'that Your Excellency would be pleased to direct Her Majesty's Attorney General to prepare, in order to be laid before the House, an account of all and every of the proceedings on behalf of the Crown against the estate of the late Receiver General of this Province, or against his Sureties, shewing the balance claimed by the Crown, and setting forth the results of any proceedings had in the Court of Exchequer:'

"I have to state that shortly after the death of the late Receiver General, George P. Bliss, Esquire, on a Report being made to the late Lieutenant Governor, His Excellency Sir Archibald Campbell, stating a large balance to have been due and owing, at the time of his decease, to the Crown, I was directed to institute proceedings at Law to recover the same.

"As the debt supposed to be thus due, was not either on a bond or due to the Crown on matter of Record, I adopted the ordinary course pursued in such cases, by suing out a Commission to have the demand found as a debt, for the purpose of issuing on the Inquisition which might be found thereon the ordinary process of Scire Facias, calling on the Administrators of the deceased, to shew cause why the King should not recover his demand.

"In all ordinary cases the proceedings before the Jury under the Commission are not contested, and the finding of the debt claimed by the Crown is much a matter of course, on ex parte evidence, exhibited by the prosecutor, as the party defendant is not precluded by such finding from going into a full defence in the Court of Exchequer, to which such Commission is made returnable, to shew that the claim of the Crown is without foundation, in which ultimate proceedings the Defendant is in no wise embarrassed by such anterior proceedings.

"But in the present case, when the Commissioners and Jury were assembled, it was found that Counsel had been employed by the Administrators, who appeared and were prepared to go into a full defence; under which circumstances it was considered it would be compromising the rights of the Crown, to proceed further with the Commission, as questions of considerable intricacy might be raised, beyond the legal knowledge of the Commissioners to decide.

"Upon discontinuing the proceedings under the Commission, a Scire Facias was issued against the Sureties, Mr. Joseph Gaynor and Mr. James Taylor, on their bond for four thousand pounds, in the hope that the same would lead to an amicable settlement by the Administrators, rather than those gentlemen should be involved in a legal controversy of contesting a suit, in which it was considered on the part of the Prosecution, there existed not the least doubt of the right of the Crown to recover.

"On receiving pleas from the Defendants in these latter suits it was found that other legal questions than were at first anticipated might be raised by the Securities, without meeting the direct right of the Crown, as between it and the representatives of the Estate of Mr. Bliss; and as the said bond covered but part of the amount claimed, it was deemed most advisable to adopt the common Law remedy, and proceed by action of debt for the money received by Mr. Bliss, in his life time, acting in the capacity of Receiver General.

"This Action, entitled

The Attorney General, *vs.* George J. Dibblee, Henry G. Clopper and James Taylor,  
Administrators of George P. Bliss, deceased,

was accordingly instituted and tried by a Special Jury at Fredericton, in Trinity Term last past, when a verdict was found for the Defendants, against the charge of His Honor the Chief Justice, who presided, certain points of Law being reserved for argument before a full Court. At the last Michaelmas Term a Rule was obtained calling on the Defendants to shew cause why a new trial should not be granted, which stands for hearing at the present Term.

"All which is humbly submitted,

"By Your Excellency's

Most obedient servant,

"CHARLES I. PETERS, *Attorney General.*"

To His Excellency Sir JOHN HARVEY, K. C. H. and C. B. &c. &c. &c.

M†

*Schedule*

*Schedule of sums of money due from the late Receiver General, George P. Bliss, Esquire, to His Majesty, at the time of his decease.*

April, 1836.—Balance on 30th September, 1835, as per his account, rendered at that time, on file with Auditor,	£23,955 17 3½
Amount paid to him subsequent to that period, by the Commissioner of Crown Lands,	8,594 6 8
Amount received by him for timber cut on the disputed Territory,	1,433 3 0
Amount of contingencies paid to him by Mr. Secretary Odell,	93 17 8
	£34,077 4 7¼
Amount admitted at the Trial to have been paid Mr. Bliss, on account.	26,832 14 0
Balance,	£7,244 10 7¼

*Specification of sums paid by the Commissioner of Crown Lands subsequent to account rendered.*

7th November, 1835.—Paid by N. Ackerly	£2,154 14 0
ditto,	35 0 1
ditto,	4,503 2 8
15th August, 1835.—Paid by R. Jouett,	66 0 0
17th December, 1835, " A. C. Starritt,	300 0 0
2d January, 1836, " Joseph Merserall,	47 12 5
5th " " N. Ackerly,	1,100 0 0
7th May, 1835.—Paid by N. Ackerly to Mr. Beckwith,	14 8 5
13th " " " to James Willox,	16 0 0
18th November.—By Check on Bank of N. B. endorsed to Mr. Bliss by N. Ackerly,	150 0 0
20th, N. Ackerly, by Check under cover to Mr. Bliss to Bearer Wallace,	10 0 0
22d ditto to F. Beverly,	9 19 1
8th January, 1836.—Check by N. Ackerly, sent to Mr. Bliss to pay Judge Parker's Warrant.	187 10 6
	£8,594 6 8

Read a third time as engrossed,

A Bill to authorise the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County debt.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Connell take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Wyer take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to incorporate *The Saint John Orphan Benevolent Society*.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Partelow take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed the 13th instant.

*Ordered*, That Mr. Allen take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Weldon,

*Resolved*, That the consideration of the Bill to compel persons to vaccinate their children in certain cases, be postponed until the next Session of the General Assembly.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill to encourage the inhabitants of this Province who are engaged in the Cod and Scale Fisheries.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Hanington,

The House went into Committee of the whole, in further consideration of a Bill to provide for the expenses of the Legislature, and for other purposes therein mentioned.

Mr. Beardsley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, and the first Section being under consideration, which makes provision for the President of the Council and Speaker of this House, an amendment was made thereto, to expunge the words "the President of Her Majesty's Legislative Council."

And upon the question, the Committee divided as follows :—

YEAS.

The Hon. Mr. Speaker,  
Mr. Allen,  
M'Almon,  
Palmer,  
Stewart,  
Hanington,  
Street,  
Jordan,  
Barlow,  
Taylor,  
Connell,  
H. T. Partelow,  
Freeze,  
Gilbert,  
Fisher,  
Woodward,  
Hayward,  
L. A. Wilmot,  
Hill.

NAYS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Partelow,  
End,  
Wilson,  
Weldon,  
J. M. Wilmot,  
M'Leod,  
Wyer,  
Brown.

Whereupon it was carried in the affirmative.

That the second Section of the Bill was then taken up, which provided for the payment of the Members of the two Houses, when an amendment was moved, to expunge the words "Her Majesty's Legislative Council."

And upon the question, the Committee again divided as follows :—

YEAS.

The Hon. Mr. Speaker,  
Mr. Allen,  
M'Almon,  
Palmer,  
Stewart,  
Hanington,  
Street,  
Jordan,  
Barlow,  
Taylor,  
Connell,  
H. T. Partelow,  
Freeze,  
Gilbert,  
Fisher,  
Woodward,  
Hayward,  
L. A. Wilmot,  
Hill.

NAYS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Partelow,  
End,  
Wilson,  
Weldon,  
J. M. Wilmot,  
M'Leod,  
Wyer,  
Brown.

And it was likewise carried in the affirmative.

That

That the Committee then made further progress in the Bill, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Thursday, 15th February, 1838.

*Prayers.*

On motion of Mr. Hill,

That the House now proceed to the Order of the Day, to go into Committee of the whole, on the Report from the Select Committee, relative to the opening of Roads, submitted to the House on the 13th January, 1837.

The Order of the Day being read, and the question taken thereon, it was decided in the negative.

On motion of Mr. Hanington,

The House went into Committee of the whole, in further consideration of a Bill for granting bounties for the encouragement of Agriculture.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, the following was moved:—

“*Resolved*, in the opinion of this Committee, That inasmuch as the Committee cannot agree upon the scale of Bounties for Wheat and Oats, therefore it is expedient that this Bill be postponed for four months.”

And upon the question for adopting the same, the Committee divided as follows:—

YEAS.  
The Hon. Mr. Speaker,  
Mr. Hayward,  
Partelow,  
Stewart,  
Weldon,  
H. T. Partelow,  
End,  
J. M. Wilmot,  
Barlow,  
Woodward,  
Hill,  
Wyer,  
Brown.

NAYS.  
Mr. M'Almon,  
Hanington,  
Fisher,  
Wilson,  
Jordan,  
Taylor,  
Connell,  
Beardsley,  
Freeze,  
M'Leod,  
Gilbert,  
Allen.

Whereupon it was carried in the affirmative.

*Ordered*, That the Report be accepted.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, laid before the House—

Report from the Board of Audit upon various accounts of expenditure by Commissioners of Bye Roads.

[See Appendix, No. 3.]

On motion of Mr. Connell,

The House went into Committee of the whole, in further consideration of a Bill to encourage the Inhabitants of this Province who are engaged in the Cod and Scale Fisheries.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported that the Committee having the Bill again before them, the following was moved:—

“*Resolved*, That the further consideration of the said Bill be postponed for four months.”

YEAS.

And upon the question, the Committee divided as follows:—

YEAS.	NAYS.
The Hon. Mr. Speaker,	Mr. Allen,
Mr. End,	Stewart,
M'Almon,	Wilson,
Hanington,	Woodward,
Jordan,	Partelow,
Taylor,	Barlow,
Connell,	J. M. Wilmot,
Beardsley,	Hill,
Freeze,	Wyer,
M'Leod,	Brown,
Gilbert,	Palmer.
Hayward,	
Fisher.	

When it was carried in the affirmative.

*Ordered*, That the Report be accepted.

On motion of Mr. End,

*Ordered*, That the House do to-morrow go into Committee of the whole, on the State of the Province.

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of a Bill to provide for the expenses of the Legislature, and for other purposes therein mentioned.

Mr. Beardsley in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, and the second Section being under consideration, it was moved that the blank providing for the daily allowance to Members be filled up with fifteen shillings.

And upon the question, the Committee divided as follows:—

YEAS.	NAYS.
Mr. Allen,	The Hon. Mr. Johnston,
Hanington,	The Hon. Mr. Crane,
Barlow,	Mr. Weldon,
Partelow,	Wilson,
H. T. Partelow,	End,
Freeze,	M'Almon,
M'Leod,	Palmer,
Fisher,	Stewart,
Brown.	J. M. Wilmot,
	Taylor,
	Connell,
	Woodward,
	Hayward,
	Hill,
	Wyer,
	Gilbert.

When it was decided in the negative.

And upon the question for filling up the said blank with twenty shillings, it was carried in the affirmative, and the allowance to be received at any one Session limited to the sum of fifty pounds.

That the Committee then went through the Bill, and agreed to the same, with amendments, under the title of "A Bill to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly."

*Ordered*, That the Report be accepted, and the Bill engrossed as amended, under the amended title.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed  
to The



The Bill to establish the boundary line between the Parishes of Woodstock and Wakefield in the County of Carleton,

With amendments, to which they desire the concurrence of the Assembly.

And that the Council had also agreed to

The Resolutions of Appropriation, dated the 9th day of February instant.

Mr. End moved for leave to bring in a Bill, to provide for the expenses of Her Majesty's Legislative Council.

Whereupon Mr. Woodward moved the following Resolution:—

*“Resolved, as the opinion of this House, That as there have been found men of tried worth and talent to serve as Legislative Councillors in this Province ever since the organization thereof, and are still to be found, it is therefore not now necessary to pay for these services; especially as it is the opinion of this House, that the Legislative Councillors of the Province should be composed of men so independent in circumstances, as to make compensation altogether unnecessary.”*

To which Mr. Partelow moved as an amendment, to expunge the whole of the said proposed Resolution, and substitute the following:—

*“It being the opinion of this House, that such provision is absolutely necessary, in order to ensure a proper representation of the various important interests of the Province in that Branch of the Legislature.”*

The question being then taken upon the said last proposed amendment, the House divided as follows:—

## YEAS.

The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Wilson,  
Allen,  
Weldon,  
Partelow,  
End,  
J. M. Wilmot,  
M'Leod,  
Taylor,  
Wyer,  
Brown,  
H. T. Partelow.

## NAYS.

Mr. M'Almon,  
Hanington,  
Stewart,  
Barlow,  
Gilbert,  
Connell,  
Beardsley,  
Freeze,  
Jordan,  
Fisher,  
Woodward,  
Hill,  
Hayward.

And the division being equal, Mr. Speaker decided in the negative.

The question was then taken upon the Resolution, when the House again divided as follows:—

## YEAS.

Mr. M'Almon,  
Hanington,  
Stewart,  
Barlow,  
Gilbert,  
Connell,  
Beardsley,  
Freeze,  
Jordan,  
Fisher,  
Woodward,  
Hill,  
Hayward.

## NAYS.

The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Mr. Wilson,  
Allen,  
Weldon,  
Partelow,  
End,  
J. M. Wilmot,  
M'Leod,  
Taylor,  
Wyer,  
Brown,  
H. T. Partelow.

This division being likewise equal, Mr. Speaker decided in the affirmative.

The question was then put upon the first motion for leave to bring in the Bill, whereupon the House again divided as follows:—

YEAS.

## YEAS.

The Hon. Mr. Crane,  
The Hon. Mr. Johnston,  
Mr. Wilson,  
Allen,  
Weldon,  
Partelow,  
End,  
J. M. Wilmot,  
M'Leod,  
Taylor,  
Wyer,  
Brown,  
H. T. Partelow.

## NAYS.

Mr. M'Almon,  
Hanington,  
Stewart,  
Barlow,  
Gilbert,  
Connell,  
Beardsley,  
Freeze,  
Jordan,  
Fisher,  
Woodward,  
Hill,  
Hayward.

And this division being equal, Mr. Speaker decided it in the negative.

The House adjourned until to-morrow morning at 10 o'clock.

### Friday, 16th February, 1838.

#### Prayers.

On motion of Mr. Partelow,

*Ordered*, That the Select Committee appointed on the 29th December last, to report upon School Petitions, praying the usual Provincial allowance to Teachers, be now relieved from proceeding upon the matters referred to them, and that all the several Petitions be now referred to the Committee of Supply.

Read a third time as engrossed,

A Bill to provide for the expenses of the Speaker and Members of the House of Assembly when attending the General Assembly.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Hill,

That the House proceed to the Order of the Day, to go into Committee of the whole on the State of the Province.

The Order of the Day being read.

The House accordingly resolved itself into said Committee.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the matters referred to them, they had made progress therein, and he was directed to ask for leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted for

#### Gloucester Bye Roads.

The sum of £100 for the Road between Pokemouche and the Northumberland line at Tracadu.

The sum of £60 for the Carraquet lower Portage and Bridges thereon.

The sum of £25 for Saint Mary's Bridge on Almack's Island.

The

The sum of £50 for the Road from Grand Aunce to End's Bridge.

The sum of £10 for the Road through the Waterloo Settlement.

The sum of £20 for a Bridge over Landry's Brook at Grand Aunce.

The sum of £15 for the Road from Grand Aunce to the Wellington Settlement in the rear.

The sum of £30 for the Road from Pokeshaw to Grand Aunce including Pokeshaw Hill.

The sum of £10 for repairing the Bridge at Parrott's Brook.

The sum of £10 for the Road from Janeville to Innishannon.

The sum of £30 for the Road from Janeville eastwards.

The sum of £20 for the Bridge over Teague's Brook.

The sum of £30 for the Bridge over Francis Ellis' western Brook and approaches.

The sum of £40 for the Road from Bass River towards Teague's Brook through the Salmon Beach Settlement.

The sum of £60 for the Road from the Great Road towards Bass River, on the line towards the Capes.

The sum of £20 for the Road on the south side of the Great Nepisiquid River, between Doonass Falls and the Great Road.

The sum of £40 for the Road from Bathurst towards the Babino River.

The sum of £20 from the Little River Mills towards the Town of Bathurst.

The sum of £20 for the Road from William Molloy's to the Saint Peters Settlement.

The sum of £50 for the approaches of Tettagouche Bridge.

The sum of £30 for the Road from Tettagouche Bridge towards Alstone Point.

The sum of £35 for the Road between Nigadow and Little Nepisiquid Rivers.

The sum of £20 for widening and draining the Road from Hugh Napier's upwards in the Tettagouche Settlement.

The sum of £5 for the Road from Hugh Napier's downwards.

The sum of £15 for the Road through the Kinsale Settlement.

The sum of £20 for the Road from Middle River Bridge to the upper line of Lot number seven.

The sum of £15 for the line between Kinsale and the Mill Stream, for exploration or otherwise.

The sum of £135 for the Road from Christopher's Bridge to the Flat Lands.

The sum of £30 for the Road from the Glebe Lot to Christopher's.

The sum of £30 for the Road to the Sugar Loaf Mountain Settlement.

The sum of £30 for the Road to the Settlement in the rear of Maple Green.

The sum of £60 for the Road from the Eel River Settlement to the Great Road.

The sum of £30 for the Road from the River Charlo to the rear Settlement.

The sum of £50 for the Road to the Settlement on Nash's Creek in the rear of Robert Harvey's.

The sum of £20 to open and improve the Road north and south of the Market place in Dalhousie.

The sum of £15 for the Road in rear of David Mackintosh's to Robert Reed's Mills.

*Resolved*, That there be granted

To the Saint Andrews and Saint John Stage Coach Company, the sum of £65 7 6, being a return of Provincial duties paid on twenty Horses, a Coach, Waggon, &c., imported from the United States in November last, to establish a daily communication for Travellers and the Mail between Saint Andrews and Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £100, to be paid over to Charles Doucett, Senior, in aid of the Acadians at Nepisiquid, agreeably to the prayer of their Petition.

To Jarvis Ring, Aaron Hartt, and others, the Committee of Management for the New Brunswick Baptist Education Society, the sum of £500 to assist them in discharging the debt incurred in the purchase of the land and the erection of the Seminary established at Fredericton.

To I. and J. G. Woodward, the sum of £16 11 6, being a return of duties on two puncheons Rum, exported to Yarmouth, Nova Scotia, in January 1836.

*Resolved*, That the prayer of the Petition of Michael Samuels cannot be complied with.

To.

To Lieutenant Colonel Booth, of Her Majesty's 43d Regiment, the sum of £59 5, being the return for the Provincial duties paid on Wine imported in 1837, by the Officers of the said Regiment for the use of the Mess.

To Peter Duff, of Saint John, the sum of £45 15 2, being a return of Provincial duties paid at the Treasury on British Merchandize, consumed at the great fire at Saint John on the night of the 14th January 1837.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £2000 for the improvement of the Great Road leading from Fredericton to the Canadaline.

*Resolved*, That the Petition of Neil M'Lean be not complied with.

*Resolved*, That the Petition of the Reverend Michael Egan, and others, cannot be complied with.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £100 for the purpose of fitting up temporary accommodations for the Judges of the Supreme Court and Law Library, until a building is erected for the Sittings of the Supreme Court.

To L. A. Wilmot and James Taylor, Esquires, the sum of £101 10, advanced by them to the Supervisor of the Great Road from Fredericton to Saint Andrews; the same to be taken out of the money granted for the said Road.

To Deborah Ann Lugin, widow of the late George K. Lugin, many years King's Printer in this Province, the sum of £25 to assist her in her present destitute condition.

To the Woodstock and Fredericton Stage Coach Company, the sum of £100 towards the support of that establishment, and in lieu of any annual grant that they may be entitled to by virtue of any previous grant of the Legislature.

To Arthur Ritchie and Company, of Dalhousie, the sum of £1616, being a return of duties on 224 gallons Rum exported to Lower Canada.

To Robert Watson, Deputy Treasurer, Saint Stephen, the sum of £7 3 1, to reimburse him for expenses incurred in defending an action brought against him in his public capacity, as set forth in his Petition.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 17th February, 1838.

#### Prayers.

On motion of Mr. Beardsley,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act for regulating Juries and declaring the qualifications of Jurors."

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, the following was moved—

*Resolved*, That the further consideration of the said Bill be postponed until the next Session of the General Assembly."

And upon the question, the Committee divided as follows:—

YEAS.

Mr. Hanington,  
M'Almon,  
Stewart,  
Wilson,  
Partelow,  
Jordan,  
Barlow,  
Weldon,  
M'Leod,  
H. T. Partelow,  
Hill,  
Wyer.

NAYS.

The Hon. Mr. Speaker,  
Palmer,  
End,  
Freeze,  
Beardsley,  
Gilbert.

Whereupon it was carried in the affirmative.

*Ordered*, That the Report be accepted.      of

Mr.

Mr. Palmer moved for leave to bring in a Bill, to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Leave granted.

Mr. End moved for leave to bring in a Bill; to provide for the opening and repairing Roads and erecting Bridges throughout the Province.

Leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved,* That there be granted

To James T. Hanford, of Saint John, the sum of £16 8 6, being a return of duties paid on two puncheons Rum exported to Nova Scotia.

To the Commissioners of the Poor for the Town of Saint Andrews, the sum of £990 12 5, being the balance due them in their expenditure of last year, towards the support and relief of sick and distressed Emigrants; to be taken from the Emigrant Fund.

To the Justices of the Peace of the City and County of Saint John, the sum of £97 7 11, to reimburse the Overseers of the Poor for the Parish of Portland, expenses incurred by them in 1837, in the support and relief of sick, indigent and destitute Black Refugees; and further resolved, that as employment can easily be obtained in the Agricultural and Lumbering districts of the Province, no further grant be hereafter made, except to such as are disabled by age or infirmity.

To the Overseers of the Poor for the Parish of Saint George, County of Charlotte, the sum of £39 9 2, to reimburse them for expenses incurred in 1837, in the support and relief of indigent and distressed Emigrants; to be taken from the Emigrant Fund.

To the Justices of the Peace for the City and County of Saint John, the sum of £1731 11 3, to reimburse the Overseers of the Poor for the City of Saint John, the balance due them for their expenditure in 1837, in the support and relief of sick, indigent and distressed Emigrants; to be taken from the Emigrant Fund.

To the Justices of the Peace for the City and County of Saint John the sum of £165 8 7, to reimburse the Overseers of the Poor for the Parish of Portland, the expenses incurred by them in 1837, in the support and relief of sick and distressed Emigrants; to be taken from the Emigrant Fund.

To the Overseers of the Poor for the Parish of Wellington in the County of Kent, the sum of £67, to reimburse them for expenses incurred in the support and relief of transient poor in that Parish in 1836; to be taken from the Emigrant Fund.

To James T. Hanford, of Saint John, the sum of £16 10, being drawback on a puncheon of Rum and a Hogshead of Sugar, exported to Annapolis, Nova Scotia, in January 1837.

To the Saint Andrews and Saint John Stage Coach Company, the sum of £150 in aid of that establishment, and for the public benefit derived from having a regular communication by means thereof between Saint Andrews and Saint John; provided that three Mails per week be carried and brought by the said Company respectively to Saint Andrews and Saint John.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £25 to defray the expenses of Charles Coughlan and Duncan Hay, of Carraquet, incurred by them in travelling to Fredericton, and attending before a Committee of the House, to give information concerning the invasion of Foreigners upon the Fisheries of the Province.

To John V. Thurgar, of Saint John, the sum of £8 2, being drawback on a puncheon Rum exported to Nova Scotia in November 1836.

To John Hamilton, a licenced Teacher at Newcastle, Northumberland, the sum of £5, being for his services in teaching a School at that place for three months, agreeably to the prayer of his Petition.

*Resolved,*

*Resolved*, That the prayer of Joshua Chappell cannot be complied with.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of £15 3 9, to remunerate the Overseers of the Poor of the Parish of Addington for expenses incurred in the care and cure of William Gilmour, a destitute and sick Emigrant; to be taken from the Emigrant Fund.

To the Commissioners of the Alms House for the County of York, the sum of £86 4 8, to reimburse them for expenses incurred in the year 1837, in the support and relief of sick and distressed Emigrants; to be taken from the Emigrant Fund.

To H. G. Clopper, the sum of £6 5 8, to refund him expenses incurred in relieving shipwrecked Seamen of the Brig Caroline, and in forwarding them to Saint John.

*Resolved*, That the Petition of Nathaniel O'Donnell cannot be complied with.

To William Woodforde, M. D. of Fredericton, the sum of £20 to remunerate him for services performed during the past year, in vaccinating the Poor.

*Resolved*, That there be granted for

### **Carleton Bye Roads.**

The sum of £150 to Samuel Nevers, Esquire, towards paying off a debt for building a Bridge across the Beguaguimick; the said sum to be paid when the said Bridge is completed, agreeably to contract with the Commissioner.

The sum of £20 to improve the Road from Elisha Cogswell's to the Newburgh Settlement; to be principally expended in the farther end of the Settlement; and £10 to be laid out on a Cross Road in said Settlement.

The sum of £30 to improve the Road and Bridge from Daniel Shaw's to the Beguaguimick.

The sum of £10 to improve the Road from James Clarke's to Joseph Clarke's, on the Beguaguimick, to the rear of the adjoining Settlement.

The sum of £10 to improve the Road from the mouth of the Cold Stream to the further end of the Settlement; the greater part to be expended upon the further end of the Settlement.

The sum of £15 to improve the Road from the mouth of the Beguaguimick, on the southern side, to James Clarke's.

The sum of £10 to improve the Road from the mouth of Beguaguimick, on the northern side, to James Clarke's.

The sum of £10 for a new Road from James Dyer's to a back Settlement in the rear of M'Isaac's.

The sum of £5 to improve the Road from the Main Road to the Bridge near the Cold Stream.

The sum of £20 to improve the Road from the Beguaguimick to the Monquot.

The sum of £70 to improve the Road and Bridges from Patchell's Ferry to Daniel Shaw's in Northampton.

The sum of £80 to improve the Road from Eel River to the north side of Bull's Creek in the Parish of Woodstock; not less than £30, part thereof, to be expended in repair of the Bridge over Bull's Creek; and more if required, in the judgment of the Commissioner, to make it secure for the passage of teams and carriages.

The sum of £10 to improve the Road on the lower line of the Woodstock grant to a back Settlement near Eel River.

The sum of £40 to improve the Road from Judge Beardsley's to Peter Gallagher's in the back Settlement.

The sum of £15 to improve the Road from the lower side of the Glebe Lot in Woodstock to the back Settlement.

The sum of £8 to improve the Road from the Blacksmith's Shop near John Beardsley's to the back Settlement.

The sum of £15 from M'Indoe's to Peabody's Mills; to be laid out on the worst part of Road.

The sum of £12 from Peabody's Mills to the Forks of the Meduxnikick.

The sum of £20 to improve the Road from the Houlton Road near Hilman's to Stewart's.

The sum of £15 to improve the Road from Stewart's to the further end of the Settlement near the Meduxnikick.

The sum of £7 to improve the Road from Wolhaupter's to Flemming's. The

- The sum of £12 to improve the Road from Richmond corner to Peabody's Mills.
- The sum of £7 10 from Ivey's to the M'Donald Settlement.
- The sum of £30 to improve the Road from Richmond corner to the Hogden Road ; to be laid out principally upon a Swamp near Hay's.
- The sum of £15 to improve the Road from M'Kenzie's corner to Perley's Mills.
- The sum of £8 to improve the Road from Perley's Mills to Ivey's.
- The sum of £10 to improve the Road from Hogden Road to Atchinson's.
- The sum of £10 to improve the Road from the School House in the Irish Settlement, to pass Daley's, and back to the Hogden Road.
- The sum of £12 to improve the Road from the Hogden Road, past Yerxa's and Green's, to the further end of the Settlement.
- The sum of £5 to improve the Road from the Hogden to Flemming's and Carron's.
- The sum of £20 to improve the Road from the Hogden Road, near M'Kenzie's, in a southerly direction, past Woodard's and Blue's, to the further end of the Settlement.
- The sum of £10 to improve the Road from the Richmond main Road, past William Bull's, to the Hogden Road.
- The sum of £80 to be expended towards the completion of the Monquot Bridge over the Monquot Stream.
- The sum of £8 10 to William W. Emslie in payment of his account as a Commissioner for building the Monquot Bridge.
- The sum of £15 to improve the Road and Bridge from the Monquot Stream to Richard Wharton's.
- The sum of £15 to improve the Road from Salmon River to the Tobique.
- The sum of £40 to improve the Road from Tobique to Richard Wharton's.
- The sum of £15 to improve the Road from Benjamin Tibbits' to the American line.
- The sum of £10 to improve the Road from Thomas Gee's to a back Settlement in the Parish of Wicklow.
- The sum of £12 to improve the Road from Thomas Pomfrey's to a back Settlement.
- The sum of £12 to improve the Road from the eight mile tree, on the Restook Portage, to the River at Merritt's Farm.
- The sum of £8 to improve the Cross Road on the Portage about four miles above the Restook to the River.
- The sum of £10 to improve the Road from Ballard's at the mouth of the Restook, along the south bank, to the Falls of the same.
- The sum of £45 to open a Road from the Grand Falls upwards.
- The sum of £12 to improve the Road from John Wright's Farm in a back Settlement in the Parish of Andover.
- The sum of £15 to improve the Road from Boyer's Mill, past Charles Lewis', to Jeremiah Lloyd's; the greater part of said sum to be expended at the further end of the Settlement.
- The sum of £10 to improve the Road from Charles Lewis' in a northerly direction, past William Stewart's.
- The sum of £10 to improve a Road near Kerr's to a back Settlement.
- The sum of £20 to improve the Road from M'Keen's to the further end of the Settlement.
- The sum of £10 to improve the Road from O'Connor's Creek to a back Settlement.
- The sum of £20 to improve the Road from James M'Laughlan's to the Falls on the north Branch of the Meduxnikick.
- The sum of £20 towards completion of the Bridge across the Little Presqu' Isle near Burpe's.
- The sum of £10 to open the Road from James Jones', above the Little Presqu' Isle, to a back Settlement.
- The sum of £10 to improve the Road from Charles Palmer's to the Little Presqu' Isle.
- The sum of £15 to improve the Road from Charles Boyer's to the Little Presqu' Isle.
- The sum of £12 to improve the Road from the Ferry Road to the River near Elisha Shaw's.
- The sum of £8 to improve the Road from Charles Palmer's to William Mallory's.
- The sum of £15 to improve the Road from William Mallory's southerly to the Grist Mill.
- The

The sum of £10 to open a Road from John Johnston's to Joseph Dunns'.

The sum of £30 to improve the Road from Hannah's, past Rufus Payson's, to William Lindsay's.

The sum of £10 to improve the Road from William Lindsay's to William Bell's on the Meduxnikick.

The sum of £12 to improve the Road from William Lindsay's to Samuel M'Laughlan's.

The sum of £8 to improve the Road near Beverley Estey's, in Wakefield, to the further end of the Settlement.

The sum of £17 to improve the Road past Willet Chapman's, through the Moody Farm, to Jackson Town Road.

The sum of £20 to improve the Road from Henry Sharpe's, past George Wilson's, to Richard Martin's.

The sum of £10 to improve the Road from Martin's to Bell's.

The sum of £45 to improve the Road from Jacob Eastabrook's to Williams Town Settlement.

The sum of £12 to improve the Road from Robert Hume's, along Jonathan Tracey's, to the Jackson Road.

The sum of £12 to improve the Road from Ketchum's Store towards Henry Sharp's; the most to be expended on the new part of the Road.

To Jeremiah M. Connell, the sum of one hundred pounds, being amount advanced by him for the relief of poor settlers in the Parish of Madawaska, agreeably to a Resolution of last Session, and to be provided for out of the monies hereafter to be appropriated for the improvement of the Bye Roads in the County of Carleton; also

To L. A. Wilmot and James Taylor, Esquires, twenty five pounds for the amount advanced by them for the relief of poor settlers at Beguaguimick.

#### **Westmorland Bye Roads.**

The sum of £40 for the Road from Thomas Ayer's to Benjamin Landrie's.

The sum of £15 for the Road from the Great Road on Sackville Great Marsh to Point Migic.

The sum of £10 for the Road from Philip Chapman's to Thomas Oulton's, Junior.

The sum of £10 for the Road from Thomas Oulton's, Junior, to the Emigrant Road.

The sum of £25 for the Road from Thomas Oulton's, Junior, to Joseph Murray's.

The sum of £20 for the Road from George Richardson's to Crossman's.

The sum of £10 for the Road from William Mitten's to Crossman's.

The sum of £15 for the Road from Tedish to Shemogue.

The sum of £15 for the Road from John Anderson's to James Blanche's, crossing the Little Shemogue.

The sum of £25 for the Road from Sackville to Aboushagan.

The sum of £15 for the Road from the Chapel to the south west Branch of the Aboushagan, £2 15 6 to be paid to Simon Legere for over expenditure on the Road from Morang Tarrion's to south east Branch of the Aboushagan.

The sum of £10 for the Road from the Aboushagan Road to Peter Bellivous'.

The sum of £25 for the Road from Gaspereaux to Great Shemogue,

The sum of £15 for the Road from the Great Shemogue Road to the Ferry on the Little Shemogue.

The sum of £50 for the Road from Gaspereaux to Cape Tormentine through the Emigrant Settlement.

The sum of £10 for the Road from the Great Road to second Westcock Hill.

The sum of £40 for the Road from George Cook's to the Grand Aunce Creek.

The sum of £15 for the Road from Ephraim Raworth's to Cape Spear.

The sum of £20 for the Road from Patrick Blanche's to the Little Cape, on the west side of the Great Shemogue.

The sum of £15 for the Road from James Purdy's to George Cook's.

The sum of £10 for the Road from the Aboushagan Road to David Cook's.

The sum of £10 for the Road from the Shemogue Road to Square Lake.

The sum of £15 for the Road from the Shediack Road to the head of the Tide on the Shediack River by Joseph Hanington's Mills.

The sum of £40 for the Road from Westcock to Cape Maranguin.



The sum of £15 for the road from James Ayer's to Beach Hill.

The sum of £20 for the Road from the Widow Kinnear's to Fairfield.

The sum of £30 for the Road from Grand Aunce to Joseph Tower's.

The sum of £20 for the Road from Alexander Sonias', in the Back Settlement, Dorchester, to the Aboushagan Road.

The sum of £10 for the Road from Abel Hicks', Point Migic, to John Richardson's.

The sum of £30 for the Road from Joseph O'Bear's, in Tedish, to the Kouchibouguac Lake Settlement.

The sum of £10 for the Road from Point Migic Road to N. Hick's, on the north side of Tower's Goose Lake.

The sum of £60 for the Gaspereaux Bridge.

The sum of £10 for the Road from George Dobson's to the Emigrant Road.

The sum of £15 for the Road from Townsend's to Bay Verte.

The sum of £10 for the Road from M'Kinley's to George Lawrence's.

The sum of £70 for the Kouchibouguac Bridge.

The sum of £25 for the Scoudac Bridge.

The sum of £20 for the Road from Benjamin Landrie's to the Great Road in Dorchester.

The sum of £10 for the Road from Tignish Road to Joseph Irvin's

The sum of £10 for the Road from William Well's to William Tingley's, Cape Tormentine.

The sum of £10 for the Road from David Murray's to Henry Bass', near Cape Bear.

The sum of £10 for the Road from the south west Branch of the Aboushagan to the Sackville Road.

The sum of £10 for the Road from John Palmer's to the second Westcock Hill Settlement.

The sum of £5 for the Road from Aboushagan Road to Miles Sear's

The sum of £5 for the Road from P. Guitons' to the Dorchester Road.

The sum of £10 for the Road from Cook Smith's in Dorchester to the Sackville Town line.

The sum of £25 for the Road from Gilbert Forsyth's, in New Horton, to Cape Enrage.

The sum of £20 for the Road from Germain Town to Cape Enrage.

The sum of £30 for the Road from Cape Enrage to Salmon River.

The sum of £15 for the Road from New Ireland to Salmon River.

The sum of £10 for the Road from William Fillenore's to Daniel Copp's, on the Ridge.

The sum of £10 for the Road from Point Wolfe Harbour to upper Salmon River.

The sum of £10 for the Road from William Tingley's to Thomas Wilband's.

The sum of £10 for the Road from John Ritchie's to Stephen Stiles' on Crooked Creek.

The sum of £15 for the Road from Ezra Peck's to the Memel Road inclusive, so called.

The sum of £25 for the Road to the Caledonia Settlement from Hopewell.

The sum of £15 for the Road from Daniel Woodworth's through the Haley Settlement.

The sum of £10 for the Road from the Great Road to Aaron Robinson's.

The sum of £10 for the Road from Cape Demoiselle Road to John Martin's

The sum of £40 for the Road from Hamilton's in Hopewell to Hillsboro'.

The sum of £15 for the Road from the Woodworth Settlement to the Caledonia Settlement.

The sum of £60 for the Road from M'Latchey's Bridge to Stoney Creek, thence to Mill Creek; of which sum £15 to be paid James Wallace, the late Commissioner.

The sum of £15 for the Road from Henry Steeves' to the Irvine Settlement.

The sum of £20 for the Road from Chapman's up Turtle Creek.

The sum of £15 for the Road from Thomas Colpitt's Mill through to the Coverdale River Road, and thence to Robert Colpitt's.

The sum of £15 for the Road up Pollet River to John Geldart's; of which sum £10 to be paid Thomas Colpitt's.

The

The sum of £10 for the Road from Daniel Wheaton's to Robert Dobson's.

The sum of £10 for the Road from Abner Taylor's on the North River to the Lewis' Settlement.

The sum of £15 for the Road from the Great Road to the Kelly Settlement.

The sum of £20 for the Road from George Colpitt's up Coverdale River.

The sum of £10 for the Road from Turtle Creek to Enoch Stiles'.

The sum of £10 for the Road from John Scott's to Nathaniel Smith's.

The sum of £15 for the Road from Robert Scott's to North River.

The sum of £10 for the Road from the Great Road in Hilsboro' to the Round Hill.

The sum of £10 for the Road from Alexander Cane's to George Colpitt's Mill.

The sum of £20 for the Road from Zecariah Lutz' to the Mountain Settlement.

The sum of £35 for the Road from the Bend to the Mountain Settlement; of which sum £5 is to be expended between John Wallace's and Martin Somers'.

The sum of £20 for the Road from Irishtown to the French Settlement.

The sum of £80 for the Shediac Bridge in Irishtown; of which sum £63 to be paid the President and Directors of the Central Bank for money advanced last year.

The sum of £15 for the Road from the Bend on the M'Lauchlan Road towards Richibucto.

The sum of £40 for the Road from near Gabriel Herbert's, through Downing and Bellivou Villages, and thence by the Chapel to the Great Road.

The sum of £25 for the Road from Ralph Carter's to the Peticodiac River.

The sum of £10 for the Road from James Crandall's to Bell's farm; of which sum £1 to be paid Samuel Halstead, the late Commissioner.

The sum of £20 for the Road from the Shediac Road through the French Minudie Settlement.

The sum of £10 for the Road from John Harris' to Jacob Trites,' thence to Brown's Mill.

The sum of £15 for the Road from Holstead's to the Butternut Bridge.

The sum of £5 for the Road from the Road at the Chapel, Dorchester, to the Cove.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and the Resolutions engrossed, and leave to sit again granted.

The Honorable Mr. Crane, by command of His Excellency, laid before the House—

An account from John Simpson, Esquire, Queen's Printer, of the expense incurred in the printing the revised edition of the Province Laws, accompanied by the following communication to His Excellency on the subject of that work.

*" Royal Gazette Office, Fredericton, 15th February, 1838.*

" MAY IT PLEASE YOUR EXCELLENCY,

" I have the honor to state to your Excellency, that in consequence of the destruction in the great fire at Saint John, of the entire Edition of the Laws of this Province, which I had then lately completed and sent to the Binder, the House of Assembly at its last annual Session, ordered a reprint of *eight hundred copies* of that extensive work; and a principal object of my late visit to Great Britain, was a desire to procure a sufficient supply of new material, to enable me satisfactorily to execute this valuable publication.

" The whole Edition is now completed and in the hands of the Binder at Saint John, with the exception of the Index, which I have been prevented from proceeding with as rapidly as I could wish, from circumstances wholly beyond my controul. It has been expedited, however, as much as possible, and if it were any ordinary kind of labour, it would have been by this time also completed; but in the whole course of my experience in the printing business, I never had to contend with so many difficulties in executing a similar work, and none but those practically conversant with such performances can duly appreciate the labour attending their execution. The time and exertion necessarily and very repeatedly bestowed in correcting and arranging such an Index for the press is beyond calculation, and such as precludes the possibility of my receiving competent remuneration; as the unavoidable delay and expense occasioned thereby, are so great, that I should be ashamed to state an adequate estimate of their value. The work might now be completed in a few weeks, were it not for the circumstances already adverted to, but it may require some additional time before the whole is finished.

" I can only state to your Excellency, in my own behalf, that no unnecessary delay has been occasioned in my department of the work, (and I feel confident that the gentleman who prepares the Index will corroborate my assertion,) and I have spared no expense in making this Edition of the Provincial Laws superior to any work ever published in the Province; and from the present resources of my office, it must be evident that it is well calculated to accomplish any thing in the ordinary course of such matters. " It

"It may be proper, however, to state, that the Index will probably be complete before the Binder can have finished collating such a vast number of sheets as compose eight hundred copies of the body of the work.

"I also beg leave to enclose for your Excellency's examination, a statement of my charges for the Printing and Stationery work, exclusive of the Index, (for which there was no grant made by the Legislature, as has been usual in such cases, the sum of £600 having been appropriated when the former Edition was ordered to be printed,) the amount of which is somewhat less than the sum allowed me for the former Edition, notwithstanding the superiority of the materials with which this present work has been executed.

"A copy of the enclosed account I would respectfully beg Your Excellency to lay before the Legislature; and I humbly trust that the style in which this extensive and arduous labour has been executed, will prove satisfactory to that Honorable body.

"I have the honor to be,

"Your Excellency's most obedient humble Servant,

"JOHN SIMPSON, *Queen's Printer.*"

To His Excellency Major General Sir J. HARVEY, K. C. H. & C. B.  
 &c. &c. &c.

On motion of Mr. Fisher,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the Law Officers of the Crown to lay before this House their respective opinions as to the legal construction of the Marriage Act, 4 William IV. and whether the Licences now in use are conformable to the provisions of the said Act, especially in that part restricting certain Ministers and Teachers to the solemnization of Marriage between their respective denominations only.

*Ordered*, That Mr. Fisher, Mr. Woodward and Mr. Connell, be a Committee to wait upon His Excellency with the Address.

The House adjourned until Monday morning next at 10 o'clock.

## Monday, 19th February, 1838.

*Prayers.*

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

**"New Brunswick.**

*"Message to the House of Assembly, 14th February, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor lays before the House of Assembly sundry Letters addressed to him by the Officers of Her Majesty's Customs at Saint John, respecting the inefficient state of that Department at Woodstock, and on the subject of expenses to be incurred for the protection of the Revenue at Miramichi, and recommends them to the consideration of the House.

"J. H."

*"Custom House, Saint John, N. B. 30th January, 1838.*

"SIR,

"We respectfully beg leave to call Your Excellency's attention to the present inefficient state of this Department at Woodstock, and to refer Your Excellency to our letter of the 18th August last, with its enclosures.

"We have the honor to be, Sir,

"Your Excellency's most obedient humble servants.

"H. BOWYER SMITH, *Collector.*

"G. H. SMITH, *Act. Controller.*"

His Excellency Sir JOHN HARVEY, K. C. H. and C. B. &c. &c. &c.

The purport of the communication referred to, was to the best of my recollection, to bring under my notice the facts that the residences of the Deputy Collector and Deputy Treasurer at Woodstock were ill calculated for the efficient performance of their duties in the prevention of smuggling, and to suggest the consolidation of the two offices, or uniting them in the same person, and to give that person some addition to his income in the shape of a fixed salary, and then to require that he should place himself in Woodstock at the junction of the Board from Houlton or some equally convenient station.

"February 10."

"J. H.

"Custom

*" Custom House, Saint John, N. B. 18th August, 1837.*

" SIR,

" We respectfully beg leave to call Your Excellency's attention to the present inefficient state of this Department at Woodstock.

" We have the honor to enclose a copy of a letter addressed by us to the late Lieutenant Governor, dated 17th February last, and of a letter addressed to the Provincial Secretary, dated 15th May last, upon the above mentioned subject.

" We have the honor to be, Sir,

(Signed) " Your Excellency's obedient servants,  
" H. BOWYER SMITH, *Collector.*  
" G. H. SMITH, *Act. Controller.*"

Sir J. HARVEY, Lieutenant Governor.

*" Custom House, Saint John, N. B. 17th February, 1837.*

" SIR,

" We respectfully beg leave to state to Your Excellency our assurance that the present arrangement of the Customs Department at Woodstock is inefficient, and to point out for Your Excellency's consideration that the position of the *place of entry* ought to be either on the road leading from Woodstock to Houlton or at Woodstock Corner (so called.)

" The present office is kept about three miles below " the Corner," whilst the Deputy Treasurer's office is kept between two and three miles above.

" Mr. Dibblee, the acting Sub-Collector, does not receive any salary from the Customs, and we consider that the trifling allowance which we understand is made by the Province, is by no means sufficient for the services to be performed; we are desirous of being informed officially what allowance is made to Mr. Dibblee by the Province, to enable us to report to the Honorable Board on the subject.

" We trust that Your Excellency will not consider us importunate, as we are extremely desirous (from the probability of trade increasing in that quarter, owing to the improvements in the road communicating with the United States,) to have the office established upon a footing to ensure its being properly conducted. We take the liberty of suggesting to Your Excellency the propriety of the office of Deputy Treasurer and that of Sub-Collector of this Revenue being held by the same person, and at the place herein before pointed out by us, instead of five miles apart as they are at present, whilst the emoluments received by both are insufficient for one officer.

" We beg leave to refer to our letter to Your Excellency dated 27th August, 1833, enclosing an extract of the Honorable Board's order No. 23, dated 1st June, 1833, which we think also applies to any increase of expenses by establishing Ports of Entry.

" We have the honor to be, Sir,

(Signed) " Your Excellency's humble obedient servants,  
" H. BOWYER SMITH, *Collector.*  
" G. H. SMITH, *Act. Controller.*"

His Excellency Major General Sir ARCHIBALD CAMPBELL, Bart. G. C. B. &c. &c. &c.

*" Custom House, Saint John, N. B. 15th May, 1837.*

" SIR,

" With reference to our letter to His Excellency the Lieutenant Governor, dated 17th February last, in reply to which we were informed (by your letter of the 25th) that His Excellency would be prepared to give his sanction to the appointment of any competent person who might be recommended by the Province Treasurer and ourselves as Sub-Collector and Deputy Treasurer at Woodstock, and at the place suggested by us there.

" We have the honor to state that having communicated with the Provincial Treasurer, we find a difficulty in recommending any person to fill those situations, as the income to be derived from them is not sufficient (under the present provision) to remunerate him for the services to be required of him.

" As a temporary measure, and being desirous to improve the existing state of that branch of this department, we should have taken upon ourselves to have pointed out Mr. Dibblee, the present acting Sub-Collector; but we regret to state, that after having allowed so long a time to elapse with a hope that he would have attended to our communication to him of the 16th February last, calling upon him to pay over immediately the amount of seizure sales in his hands—that he has not yet done so.\*

" We have now respectfully to request that His Excellency will be pleased to direct him to comply with our letter of the 16th February last, by paying over to us monies arising from seizure sales forthwith.

" We have the honor to be Sir,

(Signed) " Your obedient servants,  
" H. BOWYER SMITH, *Collector.*  
" G. H. SMITH, *Act. Controller.*"

The Honorable Wm. F. ODELL, Provincial Secretary.

\* " This objection Mr. Smith informs me has since ceased.

" J. H."

*" Custom House, Saint John, N. B. 29th January, 1838.*

" SIR,

" With reference to our Letter, dated the 18th August last, addressed to Your Excellency, on the subject of the additional expense about to be incurred at the Out Bay of Miramichi, we respectfully beg

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beg leave to state to Your Excellency, that we are of opinion that the sum of one hundred and seventy five pounds sterling, will be required to afford the means of furnishing a sufficient Boat, with two Boatmen and two (at least) Tidewaiters, to be employed as occasion may require.

"We have the honor to lay before Your Excellency, a copy of a Letter addressed by us on the 3d March, 1837, to the Honorable Commissioners of Customs, with respect to the facilities to be afforded to the Trade at Miramichi; wherein we recommended, at the suggestion of Mr. Alexander Rankin, (of the firm of Gilmour and Rankin, of Miramichi,) that Vessels should be permitted to discharge their Cargoes at Chatham, at Newcastle, and at Douglas Town; which recommendation was adopted by the Honorable Board, in their Order No. 50, dated 7th June last; a copy of which we had the honor to furnish Your Excellency on the 18th August following.

"We are of opinion, that the water side establishment now sought for, is necessary to ensure a proper supervision of the landing of Cargoes at the several places above mentioned, and that it will add materially to the security of the Revenue, as well as tend to the greater regularity of the business of the Port.

"We have the honor to be, Sir,

"Your Excellency's obedient humble servants,

"H. BOWYER SMITH, *Collector*.

"G. H. SMITH, *Act. Controller*."

His Excellency Major General J. HARVEY, K. C. H.,  
&c. &c. &c.

"Custom House, Saint John, N. B. 18th August, 1837.

"SIR,

"We have the honor to lay before Your Excellency, a copy of an Order received by us from the Honorable the Commissioners of Customs, dated 7th June last, No. 50, wherein we are directed to communicate with the Colonial Government, with a view of obtaining an increase to the Colonial grant to the amount of the additional expense about to be incurred at the Out Bay of Miramichi.

"We beg leave to state to Your Excellency, that we are not prepared at the present time to specify the exact amount of expense that it will be necessary to incur. The Collector is about to proceed to Miramichi on a survey of the Out Bays, when he expects to ascertain the amount required.

"We have the honor to be, Sir,

"Your Excellency's most obedient servants,

(Signed)

"H. BOWYER SMITH, *Collector*.

"G. H. SMITH, *Act. Controller*."

Sir JOHN HARVEY, Lieutenant Governor.

"Custom House, Saint John, N. B., 3d March, 1837.

"HONORABLE SIRs,

"With reference to our Letter, No. 6, dated 16th January last, upon the subject of the Free Port at Miramichi, we beg leave further to state to your Honorable Board, that having had a conversation with Mr. Rankin, (of the firm of Gilmour and Rankin) of Miramichi, we are of opinion, that the permitting Vessels to discharge their cargoes at Chatham, at Newcastle, and at Douglas Town, and confining the operations of the Free Port to these three places, will be fully sufficient to afford every facility, without extending the limits further; the Wharves at these places being suitable for the purpose. We are induced to make this addition to our Report before referred to, from a conviction that it would prove a great inconvenience to Newcastle and Douglas Town, if this privilege was not granted to the Merchants residing at those places; particularly as we are informed, that large importations of Wheat from Hamburg are about to be made, for the purpose of being ground near Douglas Town. We, however, see no reason to alter our opinion respecting the Custom House being established at Chatham; and a Boat and two hands being allowed, with the view of ensuring a proper supervision of the landing of cargoes, particularly from foreign Countries.

"From the observations made by Mr. Rankin, (who is a Member of the House of Assembly of this Province,) we are disposed to think that the Legislature of this Province, will, upon the subject being brought before them, defray at least a portion of any expense incurred, in thus affording to Newcastle and Douglas Town the benefits of a Free Port.

"We have the honor to be, Honorable Sirs,

"Your obedient humble servants,

(Signed)

"H. BOWYER SMITH, *Collector*.

"G. H. SMITH, *Act. Controller*."

The Honorable Commissioners of His Majesty's Customs.

"Custom House, London, 7th June, 1837.

"GENTLEMEN,

"Having had under consideration your letter, dated the 16th January last, No. 6, reporting upon a representation from Mr. Bliss, Agent for New Brunswick, upon the subject of setting out the limits of the Free Port of Miramichi, and having also read your letters dated the 23d January, 3d March and 1st April, Nos. 11, 23 and 35, upon the same subject.

"We direct you to take the necessary measures for establishing the Custom House at Chatham, where all Vessels must in future be reported; but with the view of affording all due facilities to the Trade of Miramichi, Vessels after having been reported at Chatham may proceed in charge of a Tide Waiter for the purpose of discharging their cargoes at Newcastle, Douglas Town, or any of the intermediate places;

places; the Tide Waiters being remunerated for their services at the expense of the Consignees; the amount of their remuneration being paid to them through you; and we direct you to make a special report to the effect of this measure, at the expiration of six months.

"We sanction the employment of a Boat and two men at Miramichi, as requested by the Sub-Collector; and we direct you to communicate with the Colonial Government, with the view of obtaining an increase to the Colonial grant, to the amount of the additional expense which will be thereby entailed on this Revenue.

(Signed)

"R. B. DEAN,  
"C. STEWART,  
"W. LUSHINGTON."

Saint John, New Brunswick.

On motion of Mr. Partelow,

*Ordered*, That the Petition from John Kinnear, William Walker, James T. Hanford, Barnabas Tilton, and others, praying that an Act may pass to authorise the inspection of Flour and Meal, and which was presented to the House on the 2d instant, be referred to the Committee of Trade to report thereon.

Mr. H. T. Partelow moved for leave to bring in a Bill, to appropriate a part of the Public Revenue for the services therein mentioned.

Leave granted.

The House proceeded to take into consideration the amendments made by the Council to

The Bill to establish the boundary line between the Parishes of Woodstock and Wakefield in the County of Carleton,

The amendments being severally read, are as follow:—

At A. in Section I. expunge the remainder of the Section, and insert as follows:—

"All the lands not now included in the present Parish of Woodstock, which lie between the said Parish and a line commencing on the westwardly bank or shore of the river Saint John, at the north east angle of lot number forty six, granted to Benjamin P. Griffith and others, and thence running along the northerly boundary line of the said lot and its prolongation westwardly to the southwest bank or shore of the Meduxnikick stream, and thence along the said bank or shore and the southwardly bank or shore of the south branch of the said Meduxnikick stream until it intersects the western boundary line of the Province, thence along said boundary line due south until it strikes the monument, shall be annexed to and form a part of the said Parish of Woodstock, any law to the contrary notwithstanding."

At B. expunge the preamble.

At C. in the title, expunge the words "establish the boundary line between the Parishes of Woodstock and Wakefield," and insert the words "enlarge and define the boundaries of the Parish of Woodstock."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Connell return the Bill with the amendments to the Council, and acquaint them therewith.

On motion of Mr. Brown,

*Ordered*, That Mr. Hill, a Member for the County of Charlotte, be added to the Committee appointed on the 29th December last, to consider the expediency of improving the navigation of the Rivers, Bays, Harbours and Creeks, in this Province, in the place of Robert Thomson, Esquire, who is absent on leave; and

On motion of Mr. Weldon,

*Ordered*, That Mr. H. T. Partelow, from the County of Sunbury, be added to the same Committee.

On motion of Mr. Brown,

The House went into Committee of the whole, on a Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through this Province.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill before them, and the  
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third Section being under consideration, which provides an annual allowance for the several Supervisors, it was moved that the blank be filled up with the sum of £100.

And upon the question, the Committee divided as follows:—

YEAS.

Mr. Palmer,  
Gilbert,  
M'Almon,  
Wilson,  
Barlow,  
Hill,  
Weldon,  
Beardsley,  
Freeze,  
M'Leod,  
Fisher,  
Wyer.

NAYS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
Allen,  
Stewart,  
Street,  
Partelow,  
J. M. Wilmot,  
Woodward,  
Connell,  
Jordan,  
Hayward,  
Taylor,  
Brown,  
H. T. Partelow,  
L. A. Wilmot.

Whereupon it was decided in the negative.

The question was then taken for filling up the said blank with the sum of £150, when the Committee again divided—

YEAS, 15.

NAYS, 13.

And it was carried in the affirmative.

That the Committee then went through the Bill, and agreed to the same with amendments.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 17th instant, praying that His Excellency would be pleased to direct to be laid before the House the opinions of the Law Officers of the Crown as to the legal construction of the Marriage Act, 4 William IV. and particularly of the restrictions contained in the Licence now in use, reported, that they had attended to that duty, and His Excellency was pleased to say that he would have much pleasure in immediately complying with the prayer of the said Address.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to authorise the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County debt,

Without any amendment.

Mr. Wilson, Chairman of the Committee to try the Petition of William FitzWilliam Owen, Esquire, and others, complaining of the undue Election and Return of Robert Thomson, Esquire, as a Member for the County of Charlotte, reported to the House that John M. Wilmot, Esquire, a Member of the said Committee, was absent on Saturday last, at the time appointed to meet.

Mr. Wilmot then rose and stated, that on the day previous, after the adjournment, he had gone to his residence below Fredericton, and early on Saturday morning left for the purpose of attending the Committee, but from the depth of the snow which had fallen during the night and the severity of the weather, he was induced to return, finding it almost impossible to proceed.

The excuse assigned was therefore considered as sufficient.

Read as engrossed,

The Resolutions of Appropriation made and passed the 16th and 17th instant.

*Ordered*, That Mr. Allen take the said Resolutions to the Council, and desire their concurrence thereto.

Mr. Fisher, from the Committee to whom was referred the Petition of the President, Directors and Company of the Tobique Mill Company, presented to the House on the 23d January, submitted their Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

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“The Committee appointed to take into consideration the Petition of the Tobique Mill Company, praying that the House would recommend a grant of a portion of the lands purchased by that Corporation from the Crown on the River Tobique, having considered the matters set forth in the said Petition, and after enquiry into the nature and extent of the said Company’s operations, are of opinion, that inasmuch as the proposed operations of the said Company will tend generally to the development of the resources of the Country, to the introduction of Foreign capital, and particularly to the promotion of a branch of trade, not hitherto prosecuted to any great extent on the River Saint John and its tributaries, and also will necessarily increase the value of the vacant Crown Lands on the Tobique, and lead to the settlement of that noble river, it is desirable to encourage the said Company in the prosecution of the objects it has in view, so far as it can be done with a due regard to the security of the Provincial Government.

“Your Committee are therefore of opinion, that the House should recommend that a grant may immediately pass of 5000 acres of the land intended for cultivation, selected by the said Company in the vicinity of their principal Mill establishment, and also that as soon as the Company have completed ten good and sufficient Saw Mills, a further grant of 10,000 acres of Timber Land might pass; in both which grants all the Mill privileges and improvements made upon or to be made upon such Mill privileges by the said Company, and all their water rights, should be especially excepted.

“By adopting the course now recommended, the operation of the Company will be greatly facilitated; and for the 15,000 acres granted, the Crown will have, when the same is so granted, the sum of £8,333 6 8 actually paid in by the Company, and a further sum exceeding £8,000 in the improvements made on the ungranted lands, together with all the Company’s water privileges, as a guarantee for their final performance of the bargain made with the Government for the whole tract from which the 15,000 acres are selected.

“CHARLES FISHER,  
THOS. WYER.

“Committee Room, 19th February, 1838.”

*Ordered*, That the Report be accepted.

On motion of Mr. End,

That the House do now go into Committee of the whole, in further consideration of a Bill to authorise Her Majesty’s Justices of the Peace of the County of Gloucester to assess the said County for the purpose of paying off the County debt.

To which Mr. Weldon moved as an amendment, to expunge the word “now,” and substitute the words “this day three months.”

And upon the question, it was carried in the affirmative.

On motion of Mr. Hill,

That the House do now go into Committee of the whole, in further consideration of a Bill in addition to an Act intituled “An Act relating to the Great Roads of Communication through this Province.”

Whereupon Mr. Weldon moved as an amendment, to expunge the word “now,” and substitute the words “this day three months.”

And upon the question, it was carried in the affirmative.

Mr. L. A. Wilmot, by leave, presented a Petition from Donald M’Kay, Esquire, William N. Venning, and 31 others, of the Parishes of Newcastle, Nelson and Northesk, in the County of Northumberland, praying an amendment in the Grammar School system; which he read.

And it appearing that the entry of this Petition was omitted in the Journal of the 18th January last,

*Ordered*, That it be received, and lie on the Table.

The House adjourned until to-morrow morning at 10 o’clock.

## **Tuesday, 20th February, 1838.**

*Prayers.*

On motion of Mr. Stewart,

*Ordered*, That the Petition of Hugh Ramsay and Archibald Ramsay, presented to  
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the House on the 20th day of January last, and praying to be reimbursed the amount expended in clearing out the west branch of the main south east Upsalquitch Stream, in the County of Gloucester, be referred to the Navigation Committee.

Read a second time,

A Bill further to amend an Act, intituled "An Act to provide for the collection of the Revenue of the Province."

Mr. Partelow, by leave, presented a Petition from Robert Foulis, of the City of Saint John, praying Legislative aid towards the encouragement of a Public Seminary, where the rudiments of Mechanical Philosophy, Chemistry, &c. may be defined; which he read.

And the Rule of the House as to the time of introducing Petitions being dispensed with, *Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Mr. Partelow, Chairman of the Committee on Public and Private Accounts, having had under consideration various accounts connected with Light Houses, submitted a report thereon, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows.

[See Report, Appendix, No. 7.]

*Ordered*, That the Report be accepted.

Mr. Weldon, from the Select Committee appointed on the 19th day of January last, to take into consideration the Message from His Excellency the Lieutenant Governor upon the subject of the Provisional Board of Audit, submitted their Report, and having read the same, handed it in at the Clerk's Table, when it was again read, and is as follows:—

"The Committee to whom was referred that part of the Despatch of the Right Honorable Lord Glenelg, of the 5th September, 1836, relative to the formation "of an *efficient* Office of Audit within the Province, of the Revenues raised and expended in it," having duly deliberated on that important subject, beg leave to submit the following Report.

"The Committee cannot discover that any complaint has existed either antecedently or subsequently to the Address of the Assembly to the Throne in 1836, against the system hitherto for many years adopted by the Assembly on the auditing of the Provincial accounts. The Committee therefore deem it of importance, in order that Her Majesty's Government should be rightly informed on the subject, to shew in what manner the accounts of the different Revenues are audited.

"Two Revenues derived from different sources are collected and expended in the Province; the one known as the Casual and Territorial, and the other as the Provincial Revenue. The accounts of the former have been exclusively audited by a Crown Officer, responsible to the Lords of the Treasury, while the accounts of the latter have for many years been most satisfactorily examined by a Committee of the Assembly.

"The several Provincial Acts of Appropriation point out the mode of expenditure, and require the accounts thereof to be laid before the Assembly at the next ensuing Session. Upon such returns being laid before the House, they are referred to a Select Committee who examine the same most minutely, and report thereon. That Report is then taken into consideration by the House, and is adopted or modified as the circumstances may require. This course has been found much more effectual and satisfactory than the examination of the accounts by Provincial Auditors, who have been temporarily appointed in two instances.

"The Committee would here observe that by far the greater proportion of the Provincial Appropriations are for the improvement of the Great and Bye Roads throughout the Province; and as every Member brings with him some knowledge of the manner in which certain portions of those Appropriations have been expended, the Committees of accounts have at all times the greatest possible facilities for investigating those expenditures; and by reference to the reports of those Committees, it will be seen that their investigations have been most minute and searching.

"The Committee cannot discover that the operation of the Civil List Bill will render the Audit of the House *less efficient* and satisfactory than it always has been, both

both as regards the interests of the Crown, and those of the Public, under present circumstances; therefore your Committee cannot perceive the necessity for transferring the auditing of the Provincial accounts to the Auditor General; and as the Committee are of opinion that one efficient person would be equal to the discharge of the ordinary and accustomed duties of the Auditor General, and that the sum of £300 sterling, would be ample compensation for the performance of those duties, they cannot recommend either an enlargement of that office, or an increase of expenditure for its support.

"All which is respectfully submitted.

"THOS. WYER,  
J. W. WELDON,  
L. A. WILMOT,  
W. CRANE.

"Committee Room, 19th February, 1838."

*Ordered*, That the Report be accepted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had concurred in the several Resolutions of Appropriation dated the 13th day of February instant, with the exception of the following, to wit:—

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, and the Widows of the same class of persons in indigent circumstances, to wit:—

To Mary Banks, widow of the late Mr. William Banks, the sum of £20.	To James Appleby, the sum of £10.
To Angus M'Fee, the sum of £10.	To Mary Buckett, the sum of £10.
To Hezekiah Lyon, the sum of £10.	To Mary Ogden, the sum of £10.
To John Underwood, the sum of £10.	To Sarah Bate, the sum of £10.
To James Flint, the sum of £10.	To Mary Kelly, the sum of £10.
To Joseph Madgett, the sum of £10.	To Sarah Foster, the sum of £10.
To Isaac Adams, the sum of £10.	To Deliverance Cole, the sum of £10.
To Enoch Groom, the sum of £10.	To John Manzer, the sum of £10.
To Dougald Clarke, the sum of £10.	To John Pond, the sum of £10.
To William M'Pherson, the sum of £10.	To William Mills, the sum of £10.
To Alexander M'Kenzie, the sum of £10.	To Alexander M'Lean, the sum of £10.
To James Ross, the sum of £10.	To Roger Welsh, the sum of £10.
To John Kennedy, the sum of £10.	To Æneas Lapee, the sum of £10.
To Patrick Van, the sum of £10.	To David Quigley, the sum of £10.
To William Hurley, the sum of £10.	To Elias Seacord, the sum of £10.
To Donald M'Donald, the sum of £10.	To Hicks Seamans, the sum of £10.
To David Bruce, the sum of £10.	To Jacob Tomkins, the sum of £10.
To Gersham Bonnell, the sum of £10.	To James Dyer, the sum of £10.
To Michael Dennison, the sum of £10.	To Benjamin Collins, the sum of £10.
To Holden Turner, the sum of £10.	To Isaac Mills, the sum of £10.
To John Baldwin, the sum of £10.	To Mordecai Starkey, the sum of £10.
To Mrs. Jane M'Curdy, widow of the late Samuel M'Curdy, the sum of £10.	To Catherine Stewart, the sum of £10.
To Ruth Baird, the sum of £10.	To Ann Grant, the sum of £10.
To John Dunlap, the sum of £10.	To Abigail Sutherland, the sum of £10.
To Cornelius Ackerman, the sum of £10.	To Lyman Gray, the sum of £10.
To Musco Wright, the sum of £10.	To John Macdonald, the sum of £10.
To Duncan M'Farlane, the sum of £10.	To Benjamin Macdonald, the sum of £10.
To Martin Austin, the sum of £10.	To Ammon Hubble, the sum of £10.
To Richard Jourdin, the sum of £10.	To Charles Foster, the sum of £10.
To Andrew Rush, the sum of £10.	To Ann Munro, the sum of £10.
To William Harper, the sum of £10.	To William Clarke, the sum of £10.
To Richard Budd, the sum of £10.	To Neil M'Nichol, the sum of £10.
To James Greerson, the sum of £10.	To John Dick, the sum of £10.
To Neil M'Bean, the sum of £10.	To Nathaniel Seabrooks, the sum of £10.
To James Davidson, the sum of £10.	To Patience Hasty, the sum of £10.
	To Mary Horton, the sum of £10.
	To Catherine Fero, the sum of £10.

To

To Elizabeth Green, the sum of £10.  
 To William Segee, the sum of £10.  
 To Peter Allen, the sum of £10.  
 To John M'Coll, the sum of £10.

To Robert Robertson, the sum of £10.  
 To Bradbury Mills, the sum of £10.  
 To Joseph Hoyt, the sum of £10.  
 To Thomas Thornton, the sum of £10.

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the following sums to pay meritorious old Soldiers of the Revolutionary War, agreeably to the prayer of their respective Petitions :—

To Michael Hawkins, the sum of £10.  
 To John M'Laughlan, the sum of £10.  
 To Adam King, the sum of £10.  
 To Ralph Loudon, the sum of £10.  
 To Asher Vail, the sum of £10.  
 To Bernard Manzer, the sum of £10.  
 To Frederick Weaver, the sum of £10.

To William Cornelison, the sum of £10.  
 To Anthony Woodland, the sum of £10.  
 To George Sinnot, the sum of £10.  
 To William West, the sum of £10.  
 To Seth Griswold, the sum of £10.  
 To Joshua Stone, the sum of £10.  
 To Thomas Wood, the sum of £10.

Which are not concurred in.

And also that the Council had agreed to

A Bill in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte, Without any amendment.

Read a third time as engrossed,

A Bill in addition to and in amendment of an Act relating to the Great Roads of Communication through this Province.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Brown take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted

To the Justices of the Peace for the City and County of Saint John, the sum of £1,181 2 3 to remunerate them for money advanced and actual expenses incurred in the support of the temporary Lunatic Provincial Asylum, established at that place.

To the Overseers of the Poor for the Parish of Saint Stephen, County of Charlotte, the sum of £74 12 to refund them expenses incurred in the support and relief of sick and indigent Emigrants ; to be taken from the Emigrant Fund.

*Resolved*, That the Petition of Tristram Moore and others, cannot be complied with.

*Resolved*, That the Petition of Richard Bartlett be not complied with.

*Resolved*, That the Petition of Xenophon Jouett cannot be complied with.

To Elizabeth Williams, a licenced Schoolmistress in the Parish of Chatham, County of Northumberland, the sum £10, being for her services in teaching a School in Chatham, from September 1833 to September 1834.

To Jane Davidson, a licenced Schoolmistress in the Parish of Nelson in the County Northumberland, the sum of £10 for teaching a School in 1834 and 1835, agreeably to the prayer of her Petition.

*Resolved*, That the Petition of Abigail Porter cannot be complied with.

*Resolved*, That the Petition of Catherine Young cannot be complied with.

*Resolved*, That the Petition of William Cox, Isaac Adams and John Moore, cannot be complied with.

To Adam Dobbin, a licenced Schoolmaster the sum of £20, being for one year's services in teaching a School in the Parish of Portland, County of Saint John.

To James M'Kenzie and Thomas Fraser, Trustees of Schools for the Parish of Saint James, County of Charlotte, the sum of £10 to enable them to pay Flora M'Kenzie and Mary Ann Buchanan £5 each, licenced Schoolmistresses, for teaching Schools for six months in the year 1836.

To

To Thomas Burnett, a licenced teacher, the sum of £20 for teaching School in the Parish of Sussex, King's Cuncty, for one year, ending 1st September 1835.

To Joseph Prince, the sum of £20, being for one year's services in teaching a School in the Parish of Dorchester, County of Westmorland, in the year 1834.

To Elizabeth Wilson, the sum of £20, being for her services for one year, ending 14th February 1838, in teaching a School in the Parish of Saint Martin's, County of Saint John.

To James Millar, licenced Schoolmaster in the Parish of Chatham, County of Northumberland, the sum of £20, being for one year's services in teaching a School in that Parish.

*Resolved*, That the Petition of James Perkins cannot be complied with.

To Charles Finnis, a licenced teacher, the sum of £20 for teaching School in the Parish of Norton, King's County, for one year, ending the 17th July 1836.

To Thomas Crawford, a licenced Schoolmaster, the sum of £15, being for nine months services in teaching a School in the Parish of Portland, commencing in August 1834.

To James Gilchrist, the sum of £5 as an allowance for teaching a Free School to coloured children in the Parish of Prince William, County of York, for six months.

To James Sharp and George Clowes, Trustees of Schools in the Parish of Northampton, County of Carleton, the sum of £5, to remunerate John C. Chipman for teaching a School in that Parish for three months, from September to December last.

To Tristram Moore and Joel Scott, Trustees of Schools, the sum of £15 to remunerate Hannah Rogers, for teaching a School in the Parish of Saint James, County of Charlotte for one year.

To the Trustees of Schools for the Parish of Kent, County of Carleton, the sum of £10 to enable them to pay Richard Pointer for teaching a School for six months in that Parish.

To John Cook, a licenced teacher the sum of £10, being an allowance for six months services in teaching a School in the Parish of Westfield in King's County.

To Edward T. Whitman, a licenced teacher the sum of £10, being for services for teaching a School, in the Parish of Kingston in King's County for six months, ending in July 1836.

*Resolved*, That the Petition of John N. Simonson and Benjamin Churchill cannot be complied with.

To Margaret Merry, a licenced Schoolmistress in the Parish of Newcastle, County of Northumberland, the sum of £10, being for one year's services in teaching a School for the year ending the 1st July 1836.

To John M'Lauchlan, licenced Schoolmaster, the sum of £20, being for one year's services in that capacity in Fredericton, in the County of York.

To John M'Lean, a licenced teacher, the sum of £10, being for one year's services in teaching a School, in the Parish of Sussex in King's County, ending December 1835.

To Mary Dingee, widow of the late James Dingee, of the County of Carleton, the sum of £15 to compensate her for accommodation afforded Her Majesty's Troops on their route to Canada, and in consideration of her not keeping a tavern while affording such accommodation.

To Bashaby A. Nevers the sum of £10 for teaching a School in the Parish of Burton, County of Sunbury, for six months, ending 1st November 1837.

To Matthew Carruthers, a licenced Schoolmaster in Newcastle, County of Northumberland, the sum of £16 13 4, being an allowance for teaching a School for ten months, ending 1st June 1833.

To David Creighton, a licenced teacher, the sum of £10, being for six months services in teaching a School in Newcastle, County of Northumberland, ending 1st June 1833.

To James M'Pherson, the sum of £20, being for one year's services in teaching a School at Tay Creek, Parish of Douglas, County of York, in 1836 and 1837.

To William Brenan, a licenced Schoolmaster, the sum of £20, being for one year's allowance for teaching a School in the Parish of Portland, in the year 1837.

To Thomas H. Black, a licenced teacher, the sum of £20, being for one year's services in teaching a School in the Parish of Saint George, County of Charlotte, ending 1st November 1837.

To George Harding, Junior, and Philip Nase, Trustees of Schools for the Parish of Westfield, King's County, the sum of £10 to enable them to pay James Miller for teaching a School six months, ending 13th January 1837.

*Resolved*, That the Petition of Hugh M'Gowan cannot be complied with.

To the Commissioners for the relief of Shipwrecked Mariners at Saint Paul's Island, the sum of £154 1 9, to remunerate them for expenses incurred in the support of that establishment in 1837, and to enable them to pay for the services of two residents on the said Island until July next, as reported by the Committee of Public and Private Accounts.

*Resolved*, That the Petition of J. C. Beckwith cannot be complied with.

To His Excellency the Lieutenant Governor the sum of £25 to remunerate David Coldwell, the Courier between Fredericton and the Finger Board, for expenses incurred by him in crossing the Jemseg and Washademoak Ferries, in the years 1836 and 1837.

To His Excellency the Lieutenant Governor the sum of £50, in aid of the Grammar School presently taught at Newcastle in the County of Northumberland, by John Seewright, to whom the same shall be paid, in part of his salary for teaching said School the present year, on its being certified to His Excellency the Lieutenant Governor by William Abrams, Esquire, and the Rev. James Souter, that the same is due to the said John Seewright for such service.

To His Excellency the Lieutenant Governor or Commander in Chief the sum of £2,500 for the purpose of being applied towards the erection of a suitable building for the Supreme Court of Judicature of this Province, and a fire proof Office connected therewith for the Clerk of the Pleas.

*Resolved*, That there be granted for

#### **King's County Bye Roads.**

The sum of £10 for the Road from Captain Perry's to John Dickson's.

The sum of £10 from Elias Flewelling's to Captain Perry's, by way of Harvey's.

The sum of £25 for the Road from Shaw's to the Solid Bridge at the point of the Mountain.

The sum of £10 for the Road from Justus Wetmore's, Kennebeckasis, to the Long Reach.

The sum of £15 for the new Road between Justus Wetmore's and Roulston's; one half of which to be expended between the Mill Bridge and Bates'; the remainder between M'Intire's upper line and Hornbrook's.

The sum of £15 for the Road from White's Mill to the Long Reach near Williams'; one half of said sum to be expended between the Midland Settlement and Long Reach.

The sum of £20 for the Neck Road from near Seely's Point to James White's, and thence to the Church.

The sum of £10 for the Road from Riley's on the Neck Road to M'Cann's, Kennebeckasis.

The sum of £15 for the Road from Bates' Mill, through the Midland Settlement, to the Neck Road, near M'Williams' place.

The sum of £20 for the Road from the Reach Road near Suggett's to Kierstead's, towards Kingston Church.

The sum of £10 for the Road from Isaac Perry's to near George Raymond's.

The sum of £20 for the Road from Picket's Mills in the Midland, by Ketchum's Brook, to the shore Road, Kennebeckasis.

The sum of £15 for the Road from the public landing near John Nutter's, on Bellisle, to Kingston Church, by the shore Road.

The sum of £10 for the Road from the public landing at James Ganong's, Bellisle Bay, to the junction of the Pickwacket Road with the Midland Road.

The sum of £10 for the Road from James Peters' Mill to the Road leading from Henry Piers' to Bellisle Bay.

The sum of £10 for the Road from the Midland Road near Mabee's to the Pickwacket, near Jerome Seely's.

The sum of £10 for the Road from Henry Piers' to Bellisle Bay.

The sum of £10 from the Kingston Parish line to the Chops of the Milkish in Westfield.

The

The sum of £10 for the Road across Kennebecacis Island from Wills' to Johnston's.

The sum of £14 for the Road from John Wightman's, Esquire, to Dowling's.

The sum of £6 to be paid to Caleb Wetmore, Commissioner, to remunerate him for the like sum over expended in 1836 on the Road from the Reach Road to the north west side of the Milkish.

The sum of £10 for the Road from Logan's Cove Settlement to Lands' End, by Hare's Farm.

The sum of £15 for the Road from James B. Lyon's, Long Reach, to the Milkish.

The sum of £10 for the Road from William Armstrong's lower line to Anderson Worden's Bridge on the Midland Road.

The sum of £25 for the Reach Road, from Benjamin White's upper line towards William Harding's; out of which sum £5 to be paid to John T. Coffin and John Smith, Esquires, the Commissioners for building a Bridge over M'Coll's Creek, to enable them to complete the contract for the same.

The sum of £10 for the Road from John Fowler's, in the rear of Grand Bay, to the Settlement of Mitchell and others.

The sum of £10 for the Road from the Post Road at O'Donnell's to the Finlay Settlement, Westfield.

The sum of £20 for the eastern Nerepis Road from Westfield Church to Salmon Rock; one half of that sum to be expended between the Church and Goose Creek.

The sum of £20 to aid in making an alteration in the Road between Jacob Belyea's and the Church.

The sum of £10 for the Road from Cheyne's to the Salmon Rock on the Nerepis.

The sum of £10 for the Road from Stephen Cronk's to the Moses Kemball Road.

The sum of £10 for the Road from Tenant's Cove to the back lands in Greenwich; and thence to the County line towards the London Settlement.

The sum of £10 for the Road from the Widow Merritt's to the Main Road leading up to Bellisle Bay.

The sum of £10 to improve the Road between Thomas Connor's and Vanwart's.

The sum of £10 for the Road and Bridge between Charles Richard's upper line and the Widow Flewelling's.

The sum of £25 to aid in altering the Road between the Bridge at Zebulon Jones' and James Bulyea's.

The sum of £10 for the Road from the County line near Moore's to Andrew Hamilton's, and thence to Sterritt's; one half of said sum to be expended between Hamilton's and Sterritt's.

The sum of £15 for the Road from the Widow Lynch's to Hickey's; one half of said sum to be expended between the Lake Brook and the Cross Roads.

The sum of £10 for the Road from the Cross Roads, by way of the School House, to John Hamilton's.

The sum of £10 for the Road from the Yorkshire Road, near Daniel Johnston's, to John Cotton's.

The sum of £10 for the Road from James M'Keel's to the front Road near the River.

The sum of £10 for the Road from Thomas Wallis' to the M'Keel Road towards the front.

The sum of £10 for the Road from Thomas Burke's, back to the County line.

The sum of £10 for the Bridge near Harrington's Mill on the Road from John Crabb's, Junior, to the shore.

The sum of £10 for the Road from Jacob Pigeon's towards Emery Davis' in Springfield.

The sum of £30 to build a Bridge over the Big Brook, so called, on the Road from Hatfield's Point to the Henderson Settlement.

The sum of £10 for the Road from the east Scotch Settlement Road to the County line towards Thomas Shearer's.

The sum of £10 for the Road from Shearer's, by Henderson's, to Broad's in the English Settlement.

The sum of £10 for the Road from Eli Northrup's to Peter Gow's in the Scotch Settlement.

The sum of £10 to build a Bridge over the Main Creek on the Road leading from the School House, near Edward G. N. Scovil's, to the Finger Board Road. The

- The sum of £10 for the Road from Charles Gray's to James Ganong's.
- The sum of £10 for the Road from Jesse Gillies' to Charles Gray's.
- The sum of £10 for the Road from William Case's to Henry Sharpe's.
- The sum of £10 for the Guthrie Road, so called.
- The sum of £10 to improve a Hill on the Road from Elijah Sprague's, on the Bellisle, to the Finger Board Road, near James Sherwood's.
- The sum of £20 for the Road from Ezekiel Foster's to Bellisle Church.
- The sum of £10 for the Road from Redstone's Mill to Matthew Smith's.
- The sum of £10 for the Road from Redstone's Mill to the front Road.
- The sum of £10 for the Road from Andrew Shanklin's to the Road leading to the Irish Settlement.
- The sum of £10 for the Road from Thomas Robertson's to Shaw's Mill.
- The sum of £10 to build a Bridge between Henry Williger's and Andrew Downey's.
- The sum of £10 for the Road from the Scotch Kirk to the Waterloo Settlement.
- The sum of £25 from the Toll Bridge, Norton, to Groom's in Hampton.
- The sum of £15 for the Road from Mitchell's corner, by Moses Hodge's and Thomas Livingston's, to William Ross' on Moosehorn Brook.
- The sum of £15 for the Road from Moses Hodge's, by Moses Innis' and Motley's, to William H. Baxter's.
- The sum of £10 for the Road from William H. Baxter's to Sussex line.
- The sum of £10 for the Road from Mitchell's corner, by Joseph Moody's, to M'Affee's.
- The sum of £10 for the Road from James Shearwood's to Amos Sartill's, to be expended between Case's and Sartill's.
- The sum of £10 for the Road leading from Hay's to the Mountain, by Robert Colpitt's.
- The sum of £10 for the Road from Lakefield to the Church, near Gondola Point.
- The sum of £15 for the Road from George Prince's to the Post Road leading from Hammond River Bridge to Hennigar's.
- The sum of £10 for the Road from John Wright's to the Great Road leading from Bellisle to Saint John.
- The sum of £10 for the Road from Thomas Saunder's to Isaac Monger's.
- The sum of £10 for the Road from Elias Prince's to Adiah Sherwood's.
- The sum of £10 for the Main Road across Darling's Island.
- The sum of £10 for the Road leading from the Post Road near the Hammond River Bridge to the old Road near Beattie's Ferry, on the west side.
- The sum of £10 for the Road from Longstroth's to the Saint John County line, by Thomas Palmer's.
- The sum of £10 for the Road from the Mill of the late James Smith to the County line towards Loch Lomond.
- The sum of £10 for the old line of Road from near Gondola Point Church, towards Sherwood's Cove, and upwards.
- The sum of £15 for the Road from Richard Smith's corner to Beattie's Ferry.
- The sum of £55 to be paid to James Cother, Commissioner, for building a Bridge over the Hammond River, to enable him to complete the contract for the same.
- The sum of £10 for the Roads leading to and adjoining the above named new Bridge over Hammond River, on both sides of the same.
- The sum of £50 for the new Road from the Bridge at Barnes', to the Church, near Upham's.
- The sum of £10 for the Road from Deforest's Lake to John Sherwood's Mill.
- The sum of £25 to build a Bridge across the Hammond River, near Caleb Davis'.
- The sum of £35 for the Shepody Road, from Nethery's to M'Lauchlin's.
- The sum of £25 to be paid to Ebenezer Smith, Commissioner, for building a Bridge over the Hammond River, near Ganter's, to enable him to complete the contract for the same.
- The sum of £25 for building a Bridge over the Millstream, near Ullis Haney's.
- The sum of £15 for building a Bridge near Luster's, called Good's Bridge.
- The sum of £15 for the Road from Gayley's to the Butternut Ridge.
- The sum of £20 for the Road from Butternut Ridge to Coat's Mill.
- The sum of £10 for improving a Hill near John Parlee's.
- The sum of £10 for the Road from Hayward's Mills to the Settlement of Stableford and others.

The sum of £10 for the Road from William Kyles' to near Samuel Godard's.

The sum of £10 for the Road from the South Branch Road to James Hayward's.

The sum of £15 for the Road from Walton's Mill to M'Cowen's, at the head of South branch of Trout Creek.

The sum of £10 for the Road from Patrick Welch's, at the head of Trout Creek, to the Shepody Road, near M'Laughlin's.

The sum of £10 for the Road from Joseph Wright's to the Darling Road, so called.

The sum of £10 for the Road from David Keirstead's to Stephen Chapman's.

The sum of £20 for the Road from Ezekiel Foster's to the Queen's County line, through the English Settlement.

The sum of £10 for the Road from Ezekiel Foster's to the Millstream Bridge, near Luster's.

The sum of £10 for the Road from Kennedy's to the Queen's County line, by M'Farlane's.

The sum of £10 for the Road from Nathaniel Johnson's to Williams', by Chapman's Mill.

The sum of £10 for the Road from David Kierstead's to Joseph Darling's.

The sum of £20 for the Road from John Jordan's to near William M'Leod's.

The sum of £10 for the Road from Charles Gayley's to John Little's.

The sum of £10 for the Road from Richard W. Stockton's to the Ridge Road.

The sum of £10 for the Road from near Jacob Snider's to near John M'Arthur's, by Leggett's.

The sum of £15 for a Bridge over the Salmon River, near Jacob Snider's.

The sum of £10 for the Road lying on the line between Thomas Herrit's and Abraham Fairweather's.

The sum of £15 for the Road between Roach's and the Millstream Road, by the Chapel.

The sum of £15 to be paid Caleb Wetmore, Commissioner, for building a Bridge over the Moosehorn Brook in 1836, to enable him to complete the contract for the same.

The sum of £15 for the Road from Ellison's to the Norton line.

The sum of £10 for the Road from David Hayward's to Currie's.

The sum of £10 for the Road from Wesley Perry's to Josiah Keith's.

The sum of £10 from William Lockart's to Josiah Keith's.

The sum of £15 from John M'Monagle's to the Campbell Settlement, by Drury's.

That the sum of £10 granted in 1836, and the further sum of £10 granted in 1837, for the Road from Thomas Corey's towards Seeley's Mill, which has been received by the Commissioners, but not expended, be re-appropriated, and expended on the Road commencing at Thomas White's Farm, in the Midland Road, and running by the base line to the Beaver Dam.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

### **Wednesday, 21st February, 1838.**

*Prayers.*

Mr. Partelow moved for leave to bring in a Bill, to explain and amend an Act to incorporate sundry persons by the name of *The Saint John Water Company*.

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The Rule of the House limiting the time for bringing in Bills being dispensed with,

Leave was granted.

The said Bill being brought in, was read a first time.

Mr. Street, from the Committee to whom was referred the Petition from Nehemiah Merritt, and others, presented to the House on the 25th January last, as also those from James Peters, and others, and Robert F. Hazen, and others, presented on the 30th of the same month, in reference to the Act for the prevention of Fires in the City of Saint John, reported, that the Committee having the several Petitions under consideration, had prepared a Bill under the title of "A Bill in amendment of an Act, intituled 'An Act for the more effectual prevention of Fires within the City of Saint John;'" which he was directed to submit to the House.

*Ordered*, That the Report be accepted.

The Bill as reported by the Committee being then handed in, was read a first time.

Mr. Palmer, pursuant to leave, brought in a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province; which was read a first time.

On motion of Mr. Weldon,

*Ordered*, That the House do to-morrow go into Committee of the whole, on *Ways and Means* of raising a Revenue in this Province.

On motion of Mr. Thomson.

The House went into Committee of the whole, in further consideration of a Bill to provide for the payment of Grand and Petit Jurors in the several Counties in this Province.

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under consideration, it was

"*Resolved*, That the further consideration of the said Bill be postponed for six months."

*Ordered*, That the Report be accepted.

Mr. Jordan, from the Committee appointed on the 29th December last, to take into consideration the expediency of improving the Navigation of the Rivers, Bays, Harbours and Creeks in the Province, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Select Committee, to whom were referred sundry Petitions on the improvement of the inland navigation of this Province, having had the said Petitions, and also the subject generally, under their consideration, report.

"That as to the Petition of William Eagles and others, and the Petition of John M'Lean and others, concerning the removal of Rocks from the Split Rock Falls, and the construction of a Wharf between the Split Rock and the main land on the River Saint John, the Committee are of opinion, that considering the effect which the works (contemplated by those Petitions) may have on the River Saint John, they cannot recommend that any grant should be made until a scientific exploration and report shall have been made by a suitable person.

"That as to the Petition of John King, and others, praying aid for clearing out Smith's Creek, in Sussex, King's County, the Committee recommend a grant of twenty five pounds for that purpose.

"That as to the Petition of William R. Sentill, and others, for clearing out the German Stream, a branch of Hammond River, the Committee recommend a grant of twenty five pounds for that purpose.

"That as to the Petition of Thomas Smith, and others, for clearing out the south Branch of Hammond River, the Committee recommend a grant of twenty five pounds for that purpose.

"The Committee recommend a grant of one hundred pounds, to be expended in removing obstructions from the main Hammond River."

"The

“ The Committee recommend that one hundred pounds be granted (in aid of a former grant and private subscription), to remove a sunken Ship from the entrance of Bathurst Harbour.

“ The Committee recommend a grant of twenty five pounds, to be expended in removing Rocks from the south Branch of the Oromocto River, from the mouth of Back Creek upwards.

“ The Committee recommend a grant of twenty five pounds, to be expended in removing Rocks from the south Branch of the Rushagonis, above Smith's Mills.

“ The Committee recommend that the sum of one thousand pounds be granted for cutting a navigable Canal through Grimross Creek, to connect the River Saint John with Gagetown Creek ; such Canal to be cut in such place as Commissioners to be appointed by His Excellency the Lieutenant Governor (upon actual survey) shall advise ; provided that no warrant for such sum shall issue, until the consent of the proprietors of the lands through which the said Canal may pass, and their relinquishment of all claims for damages, such consent and relinquishment to be made manifest by a written instrument approved of by the Law Officers of the Crown, be first had and obtained ; and provided also that no part of this sum shall be expended in the payment of such damages.

“ The Committee recommend that a grant of two hundred and fifty pounds be made to remove obstructions in the south west Branch of the Miramichi River, between Indian Town and Boiestown.

“ The Committee recommend a grant of seven hundred and fifty pounds for improving the navigation of the River Saint John, between Fredericton and the Grand Falls, to be apportioned thus :—twenty pounds to improve the channel at the Chapel Bar ; twenty five pounds to remove Rocks at Cunningham's Rapids ; twenty five pounds to remove Rocks between the Nackawickack and Pokiok ; two hundred pounds to improve the navigation of the Meductic Falls, and to remove Rocks at Ingraham's Point ; seventy five pounds to open a channel on the east side of Cronk's Island ; fifty pounds to remove Rocks at Bett's Rapids and Watson's Rocks ; twenty five pounds to improve the channel at the Begaguimick Bar ; thirty pounds to improve the channel at Parks' Rocks ; fifty pounds to remove Rocks at the upper Guisiquit Ripps ; fifty pounds to remove Rocks between the Munic and George Morehouse's ; fifty pounds to remove Rocks between Restook and Little River ; fifty pounds to remove Rocks at the White Rapids, and from thence to the Grand Falls ; and one hundred pounds to improve the towing path from Fredericton to the Grand Falls.

“ The Committee recommend that a grant of twenty five pounds be made to remove Rocks and improve the navigation of the upper Salmon River in the County of Westmorland.

“ The Committee recommend that the sum of fifty pounds be granted to Hugh Ramsay and Archibald Ramsay, of Dalhousie in the County of Gloucester, for expenditures in clearing out the west Branch of the main Southeast Upsalquitch in the said County.

“ The Committee recommend that the sum of seventy five pounds be granted for improving the navigation of the River Magaguadavic ; the further sum of seventy five pounds for the same purpose on the Saint Croix River ; the further sum of twenty five pounds for the same purpose on the Pisquahagen ; and the further sum of twenty five pounds for the like purpose on the Digdeguash.

“ The Committee recommend that the sum of two hundred pounds be granted for the improvement of the navigation of the Tintamar River in the County of Westmorland.

“ The Committee are of opinion, that the application of John Keler and others, for aid towards erecting a Wharf at Dorchester ; and the application for improving a boat and Ferry Landing in Fredericton, be referred to the House for their consideration.

“ The Committee have had before them a Petition of Peter Yeamans and others, complaining of obstructions in the Newcastle Stream in Queen's County, by the throwing of slabs into the same ; the Act passed at the present Session of the Legislature is intended to prevent such practices.

“ The Committee are of opinion, that a sum of money be placed at the disposal of His

His Excellency the Lieutenant Governor to provide for a scientific and practical exploration of the River Saint John.

"All which is respectfully submitted.

"JOHN JORDAN,  
WILLIAM END,  
R. THOMSON,  
CHARLES FISHER,  
L. A. WILMOT,  
J. A. STREET,  
PHILIP PALMER.

"Committee Room, 20th February, 1838."

*Ordered*, That the Report be accepted; and

On motion of Mr. Street; further

*Ordered*, That the said Report be referred to the Committee of Supply.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers:" and

The Bill more effectually to prevent the abuse of Banking privileges.

With amendments, to which they desire the concurrence of the Assembly.

The House proceeded to take into consideration the amendments made by the Council to

The Bill more effectually to prevent the abuse of Banking privileges.

The amendments being severally read, are as follow:—

At A. in Section III. insert the word "other."

At B. expunge the words "other than Banking Corporations shall violate any of the provisions of this Act by receiving," and insert the words "shall receive."

At C. insert the words "to be made, issued, or put in circulation."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Hill take the said Bill with the amendments to the Council, and acquaint them therewith.

The House proceeded to take into consideration the amendment made by the Council to

The Bill in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers."

The amendment being read, is as follows:—

Expunge the II. Section, and alter the numbers of the subsequent Sections accordingly.

The question was then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Connell return the Bill with the amendment to the Council, and acquaint them therewith.

Mr. Hill moved for leave to bring in a Bill, to amend an Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants.

And upon the question for granting leave, it was decided in the negative.

Mr. Fisher moved for leave to bring in a Bill, in addition to an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery."

And the Rule of the House as to the time of bringing in Bills, being dispensed with,

Leave was granted.

The said Bill being brought in, was read a first time.

The Honorable Mr. Crane, from the Select Committee to whom was referred, by Resolution of this House of the 16th January last, the subject of a proposed line of Road from Fredericton to Westmorland, submitted their Report, which he read, and then handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to enquire into the necessity of a further exploration to be made to ascertain the best line for a Road from Fredericton to Westmorland, have

have had the same under consideration, and beg leave to report, that from the information they have received, they are of opinion that a good line has been adopted for that part of the Road, which commences at the North River in the County of Westmorland, and extending from thence to Humphries' Mill Stream, near to the New Canaan Settlement, on which part of said Road a sum of money has been expended; and the Committee beg leave to recommend, that a further sum be applied for improvement of the same, and they also beg leave to recommend that a competent person be employed to make a further exploration of said Road, with a view to ascertain the best line from Humphries' Mill Stream to Fredericton.

"W. CRANE,  
CHARLES FISHER,  
HENRY T. PARTELOW,  
DAVID M'ALMON,  
THOMAS GILBERT.

"Committee Room, 20th February, 1838."

*Ordered*, That the Report be accepted.

On motion of the Honorable Mr. Crane,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, requesting that he will be pleased to direct that a competent person be employed to make a further exploration of the new Road leading from Fredericton to Westmorland, passing the head of the Grand Lake; also to make a further exploration of the newly proposed Road, extending from the first mentioned Road to the head of the Tide of Richibucto River.

*Ordered*, That the Honorable Mr. Crane, Mr. M'Almon and Mr. Allen, be a Committee to wait upon His Excellency with the Address.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Shore, by command of His Excellency, delivered the following Message:—

**"New Brunswick.**

*"Message to the House of Assembly, 20th February, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor represents to the House of Assembly, that in the year 1835 the Judges of the Supreme Court held their regular Circuit Courts under the Ordinance then in force, and that in the year 1836, after the repeal of that Ordinance, they held several special Courts by order of the Executive Government, and that they still remain without any remuneration for their expenses of travel and attendance upon those Courts. The House of Assembly having heretofore objected to provide for the payment of their expenses, on the ground that they should have been paid out of the Casual Revenue, the Lieutenant Governor, now that this Revenue is placed at the disposal of the Provincial Legislature, apprehends that there will be no further objection to making a grant for this purpose, which he accordingly recommends to the House of Assembly.

"J. H."

On motion of Mr. Hill,

*Resolved*, as the opinion of this House, That the settlement of the Country, the effectual advancement of its Agricultural interest, and the general developement of its resources, require the immediate adoption of a system of internal improvement by opening new Roads through the wilderness Lands in different parts of the Province.

On motion of Mr. Street,

*Ordered*, That the House do on Friday next the 23d instant, go into Committee of the whole, in further consideration of a Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John.

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish.'"

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted; and further

*Ordered*, That the said Bill be read a third time to-morrow.

On motion of Mr. Weldon,

*Ordered*, That the House do go into Committee of the whole, on a Bill to amend an Act relating to the Great Roads of Communication through this Province this day three months.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill to provide for the payment of such non-Commissioned Officers and Privates of the Militia as have performed or may hereafter perform Garrison duty in this Province, during the absence of Her Majesty's Troops.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

"That the further consideration of the said Bill be postponed for three months."

And upon the question, it was carried in the affirmative.

*Ordered*, That the Report be accepted.

Mr. Brown, from the Committee appointed on the 10th January last, to investigate the Petition from James M'Kinnon, and others, Scotch Emigrants, complaining of wrongs suffered from the New Brunswick Land Company, and praying relief, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee to whom was referred the Petition of James M'Kinnon, John Ferguson, and others, natives of Scotland, who emigrated into this Province under inducements held out to them by the New Brunswick Land Company, setting forth various grievances and wrongs suffered from the said Company, by which they are reduced to great want and distress, and praying for relief in the premises, have attended to that duty, and beg to report, that having made careful enquiry into the allegations of the said Petitioners, and examined various persons with regard to the same, the Committee are of opinion, that the sufferings complained of have partly arisen from the non-performance, on the part of the said Land Company, of the conditions set forth in their printed prospectus, by which the Petitioners were induced to leave their native land; the most important of which were, that a comfortable house would be prepared for the reception of each family on their arrival, and that five acres of Land, cleared and ready for a crop, would be attached to each house.

"That on their arrival in the County of York, the said Petitioners were at an inclement season of the year subjected to great hardships and sufferings, the houses in question not being ready, and the season being so far advanced that chimnies could not be built therein, and that of course they suffered for want of suitable places of shelter.

"That a dangerous and mortal disease swept away forty one of their number, and left many who yet survive in a feeble and helpless state.

"That had the lands been cleared and prepared for a crop, as set forth in the Land Company's prospectus, the said Petitioners, if prudent and industrious, would in all probability have raised such quantity of provisions therefrom during the past year, as would

would have placed them above want at the present time; but that in consequence of the non-performance of this most important condition, the Petitioners have raised very little from the ground, and are now in a destitute and starving condition.

“That there exists at the present time several disputes and differences between them and the Agents of the said Land Company, upon the merits of which the Committee are not called upon to decide; and although it appears that persons having charge of the Company's affairs in this Province, have made great endeavours and exertions in behalf of the said Emigrants, yet are they at present in such a state of suffering, as must, if not speedily relieved, subject many of them to absolute starvation.

“That the Agent of the said Land Company expressed his willingness before the Committee, to furnish such of the said Emigrants with provisions as would labour for the same, but that two of the said Emigrants, who also appeared before the Committee, expressed their opinion that this promise would not be fulfilled.

“The Committee therefore respectfully recommend that a sum of money be placed at the disposal of His Excellency the Lieutenant Governor, to be applied to the immediate relief of such of the said distressed Emigrants as cannot by any other means be relieved, to be expended by a Commissioner or Commissioners to be appointed for that purpose.

“Respectfully submitted.

“JAMES BROWN, JUN.  
WILLIAM CRANE,  
L. A. WILMOT.

“Committee Room, 21st February, 1838.”

*Ordered*, That the Report be accepted; and

On motion of Mr. Brown; further

*Ordered*, That the said Report be referred to the Committee of Supply.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That there be granted

To His Excellency the Lieutenant Governor, the sum of £150, to be applied by such Commissioners as may be appointed, in aid of the sick and distressed Scotch Emigrants, agreeably to the prayer of their Petition.

*Resolved*, That there be granted for

#### **Bye Roads in Sunbury.**

The sum of £75 for the Road from the French Lake Road to the Little River Mills in the Parish of Sheffield.

The sum of £40 for the Road from Oak Point to Sand Point.

The sum of £50 for the Road from George Boon's to the South Branch Bridge.

The sum of £10 for the Road from Isaac Cogswell's to the Garey Road.

The sum of £15 for the Road from Daniel Wood's to the South Branch Road.

The sum of £10 for the Road from William Armstrong's to James Mills'.

The sum of £10 for the Road from Jeremiah Smith's to the Garey Road.

The sum of £30 for the Road from Richard Kimball's Farm to John Bell's.

The sum of £10 for the Road from South Branch Road to Scoullar's Mills.

The sum of £10 for the Road to a new Settlement near Walter Patterson's.

The sum of £25 for the Road from the South Branch Bridge to Thomas Hartt's.

The sum of £25 for the Road from Thomas Hartt's to Solomon Tracey's.

The sum of £75 for the Road from Rushagonis to Hartt's Mills.

The sum of £10 for the Road from Hartt's Mills to Diamond Square.

The sum of £15 for the Road from Andrew Smith's to James Johnston's.

The sum of £15 for the Road from Burpe's Mill through the Gordon Settlement.

The sum of £50 for the Road from Rushagonis to William Dow's.

The

The sum of £20 for the Road from William Dow's to J. M. Wilmot's Farm.

The sum of £20 for the Road from John Bell's to Burpe's Mill.

The sum of £15 for the Road from the Road near Jones' at Rushagonis to the Oromocto River, opposite John Wood's.

The sum of £50 for the Road from the Widow Kirkpatrick's to the Falls of a Stream emptying into Back Creek Lake in Blissville.

The sum of £5 for the Road from John Bailey's to the Block House.

The sum of £25 to repair the Bridge across the Back Creek at or near Charles Dewitt's.

The sum of £15 for the Road leading from Thomas Hartt's to Thomas Mersereau's.

The sum of £15 for the Road leading from the South Branch Road to John M'Laughlin's.

The sum of £50 in aid of individual subscription, to erect a Bridge across the North Branch of the Oromocto River at or near Tracey's Mills.

The sum of £5 for the Road leading from Daniel Dow's to Charles Johnston's.

The sum of £10 to explore a new line of Road from the Highway in Burton, at or near Jacob Smith's, to the Nerepis Road.

The sum of £10 to widen the Road at Burpe's Mill Dam.

The sum of £10 to repair the Bridge at Thomas Smith's at the Rushagonis.

The sum of £5 for the blind thoroughfare to the Little River Road.

The sum of £5 to ballast a Bridge at said thoroughfare.

The sum of £15 to build a Bridge over the Mill Stream at French Lake, Sheffield.

The sum of £15 for the Road from Hamilton's Road to the Little River Road.

The sum of £10 to improve the Road from Jacob B. Smith's, in Burton, to S. Burpe's upper line, in aid of individual subscription.

The sum of £25 for the Road from Thomas Hartt's to the Public Landing, and to build a public Wharf or Landing at the Oromocto, or what is called Hartt's Landing.

The sum of £12 10 for the Road from William Boon's to Thomas Stennix's.

The sum of £12 10 for Kinney's Causeway, in the parish of Burton; £4 12 3 of which to be paid to John Bailey, being balance due him, as per Report of Committee on Public and Private Accounts 20th February, 1835.

### **Queen's County Bye Roads.**

The sum of £15 for the Road from Dingee's Mill to Jared Simpson's, and the Gagetown Road.

The sum of £10 for the Bridge over Esty's Mill Stream, on the Road between Gagetown and the Oromocto.

The sum of £15 to complete the Causeway and improve the Road at Tyng's Brook.

The sum of £40 to improve the Road between Tyng's Brook and Samuel Peters' Farm; £5 of this sum to be applied between Tyng's Brook and Ocnabog Bridge.

The sum of £10 for opening a Drawbridge at Duck Creek.

The sum of £10 for the Road from near Gillan's towards Hartt's Mill.

The sum of £15 for the Road from the Church on the Nerepis Road, through Daley's Town Settlement, towards the back Creek Road.

The sum of £20 for the Road leading from the Nerepis Road towards the Oromocto, by way of Coram's and Trafton's Farms.

The sum of £30 for the Road leading from Vail's to the Nerepis.

The sum of £30 towards completing the Public Landing below Gagetown.

The sum of £15 for the Road leading from the River to the Yorkshire Road, commonly called, George Lyon's Road.

The sum of £10 for the Road leading from the New Ireland Road, on the line between Samuel Parks' and Christopher M'Conchie's, to the Gagetown Road.

The sum of £15 for the Road leading from Scovil Robert's corner to the new Ireland Settlement.

The sum of £15 for the Road leading through the new Ireland Settlement, communicating with the Road leading from Scovil Robert's and the Road leading from the Little River School House, to Sanburn's Mills.

The sum of £20 for the Road from new Jerusalem Settlement, past Sanburn's Mill.

The sum of £20 for the Road from Sanburn's corner to Redston's Mill, past Christopher M'Conchie's.

The

The sum of £15 for the Road leading from land owned by Robert Golding across the old Fanning Farm and part of John Smith's land.

The sum of £25 for the Road from Beaver Dam Bridge, London Settlement, to John VanWart's

The sum of £10 for the Road from the Bridge to the English Settlement, on the Road leading from Ebenezer Perry's to the English Settlement.

The sum of £10 for the Road from Long Creek Settlement to the Settlement opposite Cole's Island.

The sum of £10 for the Road from Murray's Mill to Long Creek.

The sum of £10 for the Road from Long Creek to the M'Farlan Settlement.

The sum of £15 for the Road leading from the Main Road near VanTassel's to the Waterloo Settlement.

The sum of £20 for the Road from James M'Kenzie's to the Main Post Road near Farmer's, by way of John Huggard's.

The sum of £10 for the Road from John Shaw's Mill to Lewis' Cove.

The sum of £10 for the Road from Oak Point, southwest side of Lewis' Cove and the Shore Road, Washademoak Lake.

The sum of £20 for opening a Road from James M'Coy's to the Road leading from Bellisle Bay to Wilson's.

The sum of £20 for the Road from the head of the interval at Lewis' Cove to Isaac Clark's.

The sum of £60 for the Main Road from Alexander Clark's to Newcastle Mills.

The sum of £5 for the Road from Michael Dellon's to Grand Lake.

The sum of £15 for the Road from William Kad's to No. 10, by way of Bett's.

The sum of £20 for the Road from Peter Day's to Cumberland Creek.

The sum of £15 for the Road from Burk's to Coal Creek Ferry.

The sum of £15 for the Road from Cumberland Bay Road to Allan M'Lean's.

The sum of £15 for the Road from Salmon River to Salmon Creek Mills.

The sum of £20 for the Road from Salmon River to Scovil's Brook.

The sum of £20 for opening a Road from Scovil's Brook to the Hardwood Ridge, in continuation of the Road from Salmon River to Scovil's Brook.

The sum of £20 for the Road between O'Leary's and Crawford's Cove, so called, western side of Salmon River.

The sum of £50 for the Road from Dykeman's Brook to Cox's Mill.

The sum of £10 to improve the Road over the Sea Wall near William Wiggins'.

The sum of £15 for the Road from Cox's Point towards Coal Creek.

The sum of £10 to remove the Hill and raise the Bridge at No. 20 Brook, near Cornelius M'Namara.

The sum of £40 for the Road from Cumberland Bay Bridge to Coal Creek, on the line explored by John Earle, Esquire.

The sum of £10 for the Road from the lower Mills to the upper Mills, on the east side of Newcastle.

The sum of £10 for the Cross Road near Yeaman's to Coakly's.

The sum of £20 for the Road leading from Ebenezer Parry's, Washademoac Lake, to Thomas Shearer's; one half to be expended between Isaac Worden's and Thomas Shearer's.

The sum of £20 for the Road leading from the north east Branch of Lewis' Cove to Samuel Foster's Mill, and from thence to the Great Road leading from the Washademoac Lake to Bellisle, on the northwest side of the Lake.

The sum of £15 for the Road from the Bridge across Craft's Cove to the Road leading to the Shannon Settlement.

The sum of £15 for the Road from David M'Donald's to the Road leading from the Cove to the Shannon Settlement.

The sum of £15 for the Road from David Odell's Mill site to Long Creek, at Joshua Starkey's.

The sum of £15 for the Road from Frederick Jenkin's line to George Parker's, on west side of the Washademoac.

The sum of £30 for the Road from Stephen Golding's to Coles Carpenter's lower line.



The sum of £15 for the Road leading from the lower Nerepis Brook to David Odell's Mill.

The sum of £10 for the Road from Stephen Foster's lower line to Jesse Cromwell's lower line, on the south east side of the Washademoac.

The sum of £10 for the Road leading through the Shannon Settlement, near James Foster's, towards John Shaw's Mill.

The sum of £10 for the Road from David Cyphers' Pond to Silas M'Mahon's Farm, at Little River, north west side of Grand Lake, on the front.

The sum of £15 for the Road leading from the Newcastle Cross Roads to the Ferry at Joseph Bayley's, across the Newcastle.

The sum of £10 for the Road leading from the new Church to Grand Point, Grand Lake.

The sum of £15 for the Road from David Mason's to Nerepis Brook, on the east side of the Washademoac.

The sum of £10 for the Road from David Odell's Mill to James Thorn's upper line.

The sum of £10 for the Road from Nerepis Brook to Michael Thorn's.

The sum of £15 for the Road from Odell's Mill to James W. Cody's.

The sum of £10 for the Road from Thomas Ham's to John Cochran's, in a back Settlement, on the south east side of Washademoac.

The sum of £10 for the Road from David Fowler's to the north east branch of Picket's Cove, west side Washademoac.

The sum of £10 for the Road from north east branch of Picket's Cove to Isaac Worden's.

The sum of £15 for the Road from Frederick Jenkin's upper line to Oliver Starkey's upper line, west side Washademoac.

The sum of £10 for the Road from Samuel Knight's, in a back Settlement, to cross Cox's Mill Dam.

The sum of £10 for the Road from John Foster's, in a back Settlement, to the Main Road near Hugh M'Lean's.

The sum of £10 for the new Road from William Sharp's to the Washademoac Road.

The sum of £10 for the Road from Colwell's, at the mouth of the Washademoac Lake, to Nehemiah Bulyea's.

The sum of £30 for the Road from Young's Cove to Washademoac Lake, and thence down to Isaac Worden's.

The sum of £40 for the Road from Gillan's to the Church at Coot Hill, and from thence to Jones' Mill.

The sum of £10 for the Road in the rear of the Nerepis Road through the new Settlement called Hopewell.

The sum of £15 for the Road from Mahood's Corner towards More's, until it meets the King's County line.

The sum of £10 for the Road from George Lyon's to Jackson's.

The sum of £20 to complete the Bridge across M'Clure's Cove, near James M'Donald's, Salmon River.

The sum of £15 for the Road from the Ferry at John Lecky's, to Brown and Colwell's Mills on the north side of Coal Creek.

The sum of £15 for the Road from Grand Lake to Maquapet Lake, between Lots Nos. 36 and 37, near William Belmaine's.

The sum of £10 for repairing a Bridge across the thoroughfare at Indian Point.

The sum of £15 for the Road between the new Post Road and Salmon River Mills, on south east side Salmon River.

The sum of £10 for the Road from the Forks of the Main Road leading to Newcastle, to the Cross Road between the Maquapet Lake and the Key Hole, Grand Lake.

The sum of £40 for improving the Causeway at the Dugway, above Samuel Scovil's.

#### **Charlotte Bye Roads.**

The sum of £45 for the Road from Stillwater Bridge towards the Rolling Dam, on the eastern side of the Digdeguash River in the Parish of Saint Patrick.

The sum of £10 for the Clarence Hill Road in Saint Patrick.

The sum of £22 for the alteration and improvement of the Road from John Armstrong's to Daniel Kelly's in Saint Patrick.

The

The sum of £40 for the Road from the Rolling Dam in Saint Patrick to Bartlett's in the Parish of Saint Andrew's.

The sum of £35 for the Road from James Murphy's towards the Rolling Dam in Saint Patrick.

The sum of £30 for the Road from James Murphy's towards the eastern line of the Parish of Saint Patrick.

The sum of £43 for the Road from the Saltwater, by William Wilson's Farm, towards the Rolling Dam in Saint Patrick.

The sum of £40 appropriated in the Session of 1835, to open a new Road from Bocabec Bridge in Saint Patrick to Garcelon's Mill in Saint David, to be re-appropriated and applied as follows, viz:—£10 for exploring and laying out a line of Road from Still water Bridge to the western line of Saint Patrick; £20 for the Main Road leading from the School House to James Kyle's Farm in the Grove Settlement on the western side of Bocabec Lake in Saint Patrick, and £10 for the Road from Murphy's Ridge to Whittier's Ridge in the Parish of Saint Patrick.

The sum of £20 for the Board Road from John Cottrell's in Saint David towards the eastern line of the Parish.

The sum of £30 for the Road from the head of Oak Bay to Valentine Sherman's in Saint David.

The sum of £12 for the Road from William Hitching's to James Love's in Saint David.

The sum of £10 to cut down Shaw's Hill in Saint David.

The sum of £8 for the Road from the end of the Bridge towards Josiah Moore's in Saint David.

The sum of £15 for the Road from Edwin Foster's in Saint David towards John Simmonds'.

The sum of £10 for the Road from M'Laughlan's Hill in Saint David to Stuart's Mill Stream.

The sum of £10 for the Road by Marks' Farm in Saint David to Jesse Grimmer's in Saint Stephen.

The sum of £12 for the Road from William Hitching's to the Church in Saint David.

The sum of £10 for the Road from Devoy's Corner to John Collins' in Saint David.

The sum of £15 for the Road from Dunham's in Saint David to Foster's Mill.

The sum of £12 for the Road from John Smith's to John Bamford's in Saint David.

The sum of £6 10 for the Road from Whitmore's to Irving's in Saint David.

The sum of £12 for the Road from Tower's Corner to William Smith's in Saint David.

The sum of £50 for the Road from Welsh's Brook near the Saint John Road, through Morrison's and Sime's grant, to John Pye's, and thence towards Digdeguash River, and to assist in building a Bridge over the said Brook, in the Parish of Saint Patrick.

The sum of £75 for the Road from Jonathan Kent's Farm to Seal Cove, on the Island of Grandmanan.

The sum of £12 to assist in building a Bridge over the Stream by John M'Intosh's in Grandmanan.

The sum of £50 for the Road from the lock-up House to Grand Harbour in Grandmanan.

The sum of £75 for the Road leading from the north west Harbour Bridge to Clam Cove, and from Clam Cove to north west Harbour public landing on Deer Island.

The sum of £50 for the Road from Welch Pool, by Todd's Barn, to Curry's Cove on Campobello.

The sum of £15 for the new Road from Hugh Thomson's, on the Saint John Road, to John Wilson's new House in the Parish of Saint Andrews.

The sum of £15 for the Road from the Town Plat of Saint Andrews to Joe's Point.

The sum of £55 10 for the Road from the Widow Connick's to Caleb Bartlett's in the Parish of Saint Andrews.

The sum of £10 for the Road from the Saint John Road to Chamcook Island in the Parish of Saint Andrews.

The sum of £20 for the Road from John Totten's, Junior, to M'Dowald's in Pennfield.  
The

The sum of £12 10 for the Road from Boyd and M'Carroll's corner to Malcolm Mealy's in Pennfield.

The sum of £15 for the Road from John Crickett's landing to Justison's in Pennfield.

The sum of £15 for the Road from Curry's Mill to the Saint John Road in Pennfield.

The sum of £10 for the Road from William M'Dermott's Farm to the Saint John Road in Pennfield.

The sum of £10 for the Road from Rodger Traynor's to Thompson's Ship yard in Pennfield.

The sum of £20 for the Road from Elliot Munson's to Boyd and M'Carroll's in Saint George.

The sum of £7 10 for the Road from Donald M'Intyre's to the Road near M'Vicar's in Saint George.

The sum of £10 for the Road from Thomas Ferguson's to the Steen Settlement in Saint George.

The sum of £30 for the Road from Philo Seelye's to L'Etang Harbour in Saint George.

The sum of £20 for the Road from Prince Baker's to Dewar's Bridge in Saint George.

The sum of £30 for the Road from Philo Seelye's Farm to the Letite in Saint George.

The sum of £35 for the Road from Linton's Mill to John Sherrard's in Saint George.

The sum of £20 for the Road from the Red Rock Mill to the upper Falls in Saint George.

The sum of £40 from the upper Falls to the Forks of the Magaguadavic in Saint George.

The sum of £20 for the Road from Pomeroy's Bridge to the Flume Ridge in Saint George.

The sum of £35 for the Road from Vinegar Hill to John Oliver's in Saint George; the same to be applied to repairing Bridges.

The sum of £20 from Josiah True's to Pomeroy's Bridge in Saint George.

The sum of £10 for the Road from James Murphy's to the Scotch Settlement in Saint George.

The sum of £15 for the Road from Kent's Saw Mill to the River Magaguadavic in Saint George.

The sum of £12 10 for the Road from James Moreland's to James Lee's in Saint George.

The sum of £12 for the Road from James Maxwell's, Junior, to Moore's Mill in Saint David.

The sum of £35 for the road from the Basswood Ridge to Samuel Stewart's in Saint Stephen.

The sum of £10 for the Road from the Chiputnecticook Ridge to Daniel Campbell's in Saint James.

The sum of £10 for the Road from John Pomeroy's to the Little Ridge in Saint James.

The sum of £10 for the Road from the Kirk to John Pomeroy's in Saint James.

The sum of £10 for the Road from Hitching's Mill to the Little Ridge in Saint James.

The sum of £15 for the Road from the Kirk across the upper Bridge on the Moannes to the Main Road leading to Saint Stephen.

The sum of £10 for the Cross Road from Hitching's Mill to the Road leading to the Kirk in Saint James.

The sum of £30 for the Road from Jones Jackson's to Hitching's Mill in Saint James, and for repairing the Bridge at said Mill.

The sum of £20 for the Road from Spence's to Clarke's Point in Saint James.

The sum of £10 for the Road from Jones Jackson's to the School House, as altered to straighten it.

The sum of £30 for the Road from the Kirk, through the Basswood Ridge, to Oak Hill in Saint James.

The sum of £15 for the Road from the Basswood Ridge to David Maxwell's near the Church in Saint James'.

The sum of £15 for the Road from Peake's to the Baillie Settlement in Saint James'.

The sum of £12 for the Road from Oak Hill to the Lynnfield Settlement, and to a Settlement a few miles beyond, towards the Widow M'George's.

The

The sum of £15 for the Road from the new Episcopal Church to Oak Hill in Saint James'.

The sum of £16 10 for the Road from Milltown to the Little Ridge in Saint James'; to be laid out between the Moannes and William Stuart's.

The sum of £12 for the Road from the Church in Milltown, to Baxter's in Saint Stephen.

The sum of £10 for the Road from Joel Hill's to the Moannes Settlement in Saint Stephen.

The sum of £10 for the Road from Alexander M'Kay's to Hill's line, towards M'Kay's Mill in Saint James'.

The sum of £50 for the new Road from the long Bridge to the Saint David's Line.

The sum of £20 for the Road from the Ledge to Oak Point in Saint Stephen.

The sum of £10 for the Road from Alexander Matheson's to Alexander Clindinen's on the Little Ridge.

The sum of £10 for the Road from John S. Philip's to the Bridge across the Dennis Stream below Moore's Lake.

The sum of £10 for the Road from Joseph Pomeroy's to the Grand Falls in Saint James.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House, that the Council had agreed to

The Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish,

With an amendment, to which they desire the concurrence of the Assembly.

And that the Council had also agreed to

The Bill to provide for the expenses of the Speaker and Members of the House of Assembly when attending the General Assembly,

Without any amendment.

The House adjourned until to-morrow morning at 10 o'clock.

## Thursday, 22d February, 1838.

### Prayers.

On motion of the Honorable Mr. Johnston,

*Ordered*, That the Report from Thomas Barlow and Moses H. Perley, Esquires, Commissioners for providing a Dredging Machine for the River Saint John, laid before the House, by command of His Excellency the Lieutenant Governor, on the 7th instant, be referred to the Committee of Supply.

Read a second time the following Bills:—

A Bill in amendment of an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John."

A Bill to explain and amend an Act to incorporate sundry persons by the name of *The Saint John Water Company*.

A Bill in addition to an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery:" and

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

According to the Order of the Day, the Bill sent from the Council, intituled "An Act to repeal an Act, intituled 'An Act for erecting a part of the Parishes of Saint Mary's and Douglas in the County of York, into a separate and distinct Town or Parish,'" was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Fisher return the Bill to the Council, and acquaint them therewith.

Read a third time as engrossed,

A Bill to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Barlow take the said Bill to the Council, and desire their concurrence thereto.

Mr. Woodward moved for leave to bring in a Bill, to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels, within the limits of this Province."

The Rule of the House limiting the time for bringing in Bills, being dispensed with, Leave was granted.

The said Bill being brought in, was read a first and second times.

On motion of Mr. Partelow,

*Ordered*, That the Clerk of this House do have prepared copies of the Petitions from Hugh Mackay, Esquire, and others, and John Wilkinson, and others, presented on the 22d January last, praying a postponement of the consideration of the Petition from William FitzWilliam Owen, complaining of the undue Election and Return of Robert Thomson, Esquire, as a Member for the County of Charlotte, and that the same be furnished to the said William FitzWilliam Owen, Esquire.

On motion of Mr. Weldon,

That the House proceed to the Order of the Day to go into Committee of the whole, in consideration of *Ways and Means* of raising a Revenue in this Province.

The Order of the Day being read.

The House accordingly resolved itself into said Committee.

Mr. Brown in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the business referred to them under their consideration, had passed two Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

1. *Resolved*, as the opinion of this Committee, That it is expedient to continue the existing duties upon all articles imported into this Province, except on Wine and Tobacco, which should be a specific duty.

2. *Resolved*, as the opinion of this Committee, That in addition to the said duties, the amount of any duties, payable for the time being, under any Act or Acts of the Imperial Parliament shall also be received, unless the same shall have been paid at some Custom House within the Province.

*Ordered*, That the Report be accepted.

Mr. Weldon moved for leave to bring in a Bill, imposing duties upon certain articles imported into this Province.

Leave granted.

Mr. Weldon also moved for leave to bring in a Bill, to amend the Acts relating to the collection of the Revenue of the Province.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Partelow, Chairman of the Committee of Public and Private Accounts, reported, that they had under their consideration various accounts of expenditure on the Great and Bye Roads in the Province, and submitted reports thereon, which he read, and handed the same in at the Clerk's Table, where they were again severally read, and are as follow.

[*See Reports, Appendix, No. 7.*]

*Ordered*, That they be accepted.

The House proceeded to take into consideration the amendments made by the Council to

The Bill to erect a part of the Parishes of Gagetown and Hampstead in Queen's County, into a separate and distinct Town or Parish.

The

The amendment being read is as follows :—

At A. in Section I. expunge the words “line of the new Parish,” and insert the words “rear or southerly part of the Parishes of Gagetown and Hampstead.”

And the question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Gilbert return the Bill with the amendment to the Council, and acquaint them therewith.

On motion of Mr. Woodward,

*Resolved*, That in the opinion of this House it would be desirable, for the information of the House, to have the Survey and Report of the River Saint John from Frederickton to the Grand Falls, made by Robert Foulis in the year 1826, by order of Sir Howard Douglas, and filed in the Office of the Secretary of the Province.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted

To the Commissioners of Government House, the sum of £3000 towards the expenses incurred in 1837 for new roofing and repairing the same, as well as for out Buildings, and furnishing the House.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £40 for the exploration of a new line of Road between Saint Andrews and Saint Stephen, by Commissioners to be appointed for that purpose, pursuant to the recommendation of the Report of the Committee of the 3d February.

To His Excellency the Lieutenant Governor, the sum of £150 in aid of individual subscription, towards erecting a Wharf on the Public Landing at Dorchester Island, and further resolved, that the Committee are of opinion, that no additional sum will be given for this service

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding £435, to pay such Adjutants and Sergeant Majors of Her Majesty's Militia Forces as shall appear to have performed their duty the past year, agreeably to the Law of the Province.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

## Friday, 23d February, 1838.

### Prayers.

Read a second time,

A Bill further to amend the Acts relating to the collection of the Revenue.

Mr. Weldon, pursuant to leave, brought in a Bill imposing duties upon certain articles imported into this Province; which was read a first time.

Read as engrossed,

The Resolutions of Appropriation made and passed the 21st instant.

*Ordered*, That Mr. H. T. Partelow take these Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Weldon,

Whereas there are various tracts of land in the County of Kent, reserved for the use of Indians, lying in an uncultivated state, and which are of no benefit to the  
Indians,

Indians, but tend much to retard the improvement and settlement of lands lying in the neighbourhood of such Reserves ; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will adopt such measures, whereby the said Reserves or portions thereof may be disposed of to persons desirous of becoming settlers, and making permanent improvements ; the proceeds arising from the disposal of such Reserves or any part thereof, to be appropriated by Commissioners to be appointed by His Excellency for the benefit of aged and distressed Indians interested in such Reserves.

To which Mr. End moved as an amendment, to expunge all after the word "Whereas," and substitute the following :

"It is supposed that measures may be adopted by which the condition of the Indians of the Province may be ameliorated: And whereas the large tracts of land reserved for their use have not been found so beneficial to them as was originally intended ; therefore

*"Resolved*, as the opinion of this House, That Commissioners should be appointed by His Excellency the Lieutenant Governor in the several districts of the Province in which Indians are to be found, to report as to the number and general condition of the Indians, and that a sum of money be placed at his disposal, to be distributed to those Commissioners for the general benefit of the Indians, to be expended according to the best discretion of the said Commissioners, in supplying them with agricultural implements, clothing, bounties on whatever potatoes, grain or other produce they may be induced to raise, and generally in such manner as may allure them do the arts of civilized life."

When Mr. Street moved as an amendment to the said proposed amendment, to expunge therefrom all after the word "Whereas," and substitute as follows :

"In order to protect and preserve the rights of the Indians in the different parts of this Province, it is thought necessary and desirable that Commissioners in the respective Counties should be appointed, whose duty it shall be to distribute any Legislative aid that may from time to time be granted for the benefit of those people ; and also to examine the Indian Reserves and to make report to His Excellency the Lieutenant Governor of the general state thereof, pointing out in such report, such parts of said Reserves as are not of use to the Indians, in order that those parts may be sold and the proceeds of such sales constitute a fund for the benefit and relief of the Indians of the County in which such Reserves are situate ; therefore

*"Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to appoint such number of Commissioners to the respective Counties in this Province, as he may deem right for the objects above contemplated."

Upon the question being then taken upon the said last proposed amendment, the House divided, and it was decided in the negative.

The question for the first amendment being then put, the House again divided, and it was also decided in the negative.

The question was then taken upon the original motion, when the House divided as follows :—

## YEAS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Woodward,  
Palmer,  
M'Almon,  
Allen,  
Partelow,  
Weldon,  
Street,  
Hanington,  
Barlow,  
Connell,  
J. M. Wilmot,  
H. T. Partelow,  
Jordan.

## NAYS.

Mr. Stewart,  
Taylor,  
Freeze,  
M'Leod,  
Wilson,  
Fisher,  
Gilbert,  
Hayward,  
End,  
Brown,  
Thomson,  
Wyer.

And so it passed in the affirmative.

*Ordered,*

*Ordered*, thereupon, That Mr. Weldon, Mr. Street and Mr. Jordan, be a Committe to wait upon His Excellency with the Address.

On motion of Mr. Street,

That the House proceed to the Order of the Day to go into Committee of the whole, in further consideration of a Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

The Order of the Day being read,

The House accordingly resolved itself into said Committee.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, it was moved—

“That the further consideration of the said Bill be postponed until the next Session of the General Assembly.”

And upon the question, the Committee divided as follows:—

YEAS.

Mr. Brown,  
Hill,  
Hayward,  
Jordan,  
Stewart,  
M'Leod,  
Freeze,  
Beardsley,  
Connell,  
Hanington,  
Palmer.

NAYS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. M'Almon,  
Taylor,  
Allen,  
Weldon,  
Wilson,  
End,  
Street,  
Partelow,  
Barlow,  
Fisher,  
Wyer,  
H. T. Partelow,  
J. M. Wilmot,  
Gilbert.

Whereupon it was decided in the negative.

That the Committee then went through the Bill, made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had passed a Bill, intituled “An Act to amend the Law relating to Bills of Exchange and Promissory Notes.”

To which they desire the concurrence of the Assembly.

And that the Council had agreed to

A Bill in addition to and explanatory of an Act, intituled “An Act to regulate proceedings before Justices of the Peace in Civil Suits,”

With amendments, to which they also desire the concurrence of the Assembly.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill in amendment of an Act, intituled “An Act for the more effectual prevention of Fires within the City of Saint John.”

Mr. Weldon in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under consideration, had made an amendment thereto, and then agreed to the said Bill, under the title of “A Bill to repeal an Act, intituled ‘An Act for the more effectual prevention of Fires within the City of Saint John.’”

*Ordered*, That the Report be accepted, and the Bill as amended engrossed, under the amended title.



The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House the following documents:—

Custom House Returns from the Port of Saint Andrews, and its Out Bays, for the year ending 5th January last; and

Return from Custom House, Saint John, of staple articles exported from that Port, during the same period, accompanied by a letter dated 7th February, stating that the other accounts are in course of preparation.

[See Report, Appendix, No. 15.]

And he also laid before the House, the following Report from the Commissioners appointed in July last, for locating sundry English Emigrants in the County of York, viz:—

“Fredericton, 16th February, 1838.

“MAY IT PLEASE YOUR EXCELLENCY,

“The undersigned Commissioners for the locating of sundry English Emigrants, under an Order of Council of the 29th July last, beg leave to submit to your Excellency the following Report of their proceedings.

“On receipt of the Order in Council, it was ascertained that there were twenty five families desirous of settling a vacant tract of Crown Land lying beyond Lake Erina, on the new line of Great Road between Fredericton and Saint Andrews, which was selected as an admirable location, on account of the superior quality of the soil, and the prospect of the immediate completion of the Great Road which runs through the centre of the tract.

“A Surveyor was accordingly sent out forthwith, with instructions to lay off twenty five lots, allowing forty rods front to each on the Road, and extending back so as to comprise forty acres, leaving in the rear sufficient vacant land to enable each Settler to extend his lot, so soon as he might be able to purchase the additional quantity.

“A competent person was employed to superintend the labours of the Settlers, and to instruct in the process of clearing and preparing the land for cultivation, and in the erection of log houses.

“Operations were commenced in August, and were most industriously and effectually prosecuted until the winter set in, by which time about an acre and a half had been cut down on each Lot, and twenty one log houses erected.

“The two hundred pounds granted by the Legislature has been principally expended in conducting the above operations, and in the improving of parts of the Road between Fredericton and the Settlement by the Emigrants themselves.

“The undersigned beg to inform Your Excellency, that no part of the above sum has been paid to the Receiver General on account of the purchase money for the Land, as it was considered that the amount could be more beneficially expended in the partial improvement of the Road, and in forwarding preparations for the location of the Settlers in the ensuing spring.

“A quantity of seed Potatoes has been procured in the vicinity of the Settlement; some Oats will also be provided, and a constant supervision will be kept up until the Emigrants shall have cropped and settled upon their respective allotments.

“The undersigned have much pleasure in expressing their entire satisfaction with the conduct of the Settlers. For industry, sobriety and perseverance, no men can surpass them; while they only want an opportunity to introduce the most approved systems of Agriculture, as now pursued in England.

“All which is respectfully submitted.

(Signed)

“THOMAS BAILLIE,  
L. A. WILMOT,  
JAMES TAYLOR.”

To His Excellency Major General Sir J. HARVEY, K. C. H. & C. B.  
&c. &c. &c.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 24th February, 1838.

#### Prayers.

On motion of Mr. Street,

Whereas by opening a direct line of Road between Miramichi and the City of Saint John, the intercourse between those places, would not only be greatly increased, but their Commercial operations be mutually benefited: And whereas it is thought that a good line of Road through lands well adapted for settlement, can be found between Miramichi and the head of the Grand Lake, by which line of Road the distance between Miramichi and the City of Saint John, will be reduced to at least one half of what it is by the present line; therefore

Resolved, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to appoint one or more competent person  
or

or persons, as Commissioner or Commissioners, to make a thorough exploration of the above mentioned Road, and to report the same to His Excellency, to be laid before the House at the next Session of the Legislature; at which time this House will make provision for the expenses thereof.

*Ordered*, That Mr. Street, Mr. Woodward and Mr. Stewart, be a Committee to wait upon His Excellency with the Address.

Read a second time,

A Bill imposing duties upon certain articles imported into this Province: also

A Bill sent from the Council, intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes."

Read a third time as engrossed,

A Bill to repeal an Act, intituled "An Act for the more effectual prevention of Fires within the City of Saint John."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Street take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Street also take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. Woodward,

The House went into Committee of the whole, on a Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province."

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, had made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House proceeded to take into consideration the amendments made by the Council to

The Bill in addition to and explanatory of an Act, intituled "An Act to regulate proceedings before Justices of the Peace in Civil Suits."

The amendments being severally read, are as follow:—

At A. in Section I. expunge the words "although the sum sworn to should appear to be less than twenty shillings," and insert the words "when the sum sworn to shall amount to ten shillings."

At B. in Section II. insert the words "after a certain number of days imprisonment."

At C. insert the words "with respect to the discharge of a debtor, after a certain number of days imprisonment."

At D. in Section III. insert the words "at any time within three calendar months after the giving of such Judgment."

At E. insert the following Sections:—

"IV. And be it further enacted, That in any case where a Judge of the Supreme Court may, on review, award costs to either party, in pursuance of the said first recited Act, it shall and may be lawful for such party to sue out of the Supreme Court a Writ of attachment, according to the form in the Schedule hereunto annexed, or to that effect; which writ the Clerk of the said Court shall issue upon the fiat or order of a Judge; Provided always, that no fiat or order for such Writ shall be made by any Judge of the Supreme Court, until it be made to appear to his satisfaction by affidavit that such costs have been duly demanded by the party to whom the same have been awarded, or by some person duly authorised by him to demand and receive the same, or by the Attorney of such party in the proceedings of review, and that such costs have not been paid; and the party who may issue such attachment shall be entitled to demand, receive and levy the sum of ten shillings from the party against whom the attachment may  
issu  
e.

issue, as the costs of such attachment, and of the proceedings herein before directed for obtaining the same.

"V. And be it further enacted, That the Sheriff or other officer by whom any such Writ of Attachment shall be executed shall be entitled to, and he is hereby authorised and empowered to demand and receive from the party against whom such attachment shall issue, the like poundage and fees as in cases of execution; and that any party arrested on any such attachment shall, on payment to the said Sheriff or other officer of the costs specified in such attachment, together with the costs of the attachment, and the Sheriff's poundage and fees as aforesaid, be discharged from custody and arrest under such attachment; and the Sheriff or other officer shall make due return of such Writ, and pay over the money received under the same to the party at whose suit or instance the said writ may have issued, or his Attorney.

"VI. And be it further enacted, That any person in custody upon a Writ of Attachment issued pursuant to this Act, or the said Act of which this is an amendment, shall be entitled to the benefit of any Act or Acts of Assembly for the relief of confined debtors in the same manner as if such person were arrested on mesne process or execution in any Civil Suit.

"VII. And whereas by the provisions of the said recited Act, Process and Execution may be served by a Constable of the Parish only within which the party to be served may reside or be found, and whereas it would be more convenient if any Constable of the County were authorised to serve any such Process or Execution; Be it therefore enacted, That all Process and Execution which may be issued under the provisions of the said first recited Act may be directed in general terms to and served by any Constable of the County within which the party to be served may reside."

At F. expunge "IV." and insert "VIII."

At G. insert as follows:—

#### "SCHEDULE.

##### "FORM OF WRIT OF ATTACHMENT.

"Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c. To our Sheriff of                      Greeting: We command you that you attach E. F. so that you may have his body before us at Fredericton on [*a return day in the ensuing term*] to answer to us for a certain trespass and contempt in not paying to C. D. the sum of                      for costs awarded to the said C. D. by

Esquire, [*Chief Justice, or one of the Justices of our Supreme Court as the case may be*] in a certain matter of review lately pending before the said [*Chief Justice or Justice*] pursuant to the Acts of Assembly in such case made and provided; and have then there this Writ: Witness, &c. [*to be tested in the name of the Chief Justice, on the day whether in term or vacation on which the fiat or order for such Writ may bear date.*]

"By order of                      the Chief Justice [*or Mr. Justice*                      *as the case may be.*]

"SHORE.

"In case the Sheriff be a party, the writ to be directed to the Coroner as in other cases."

At H. in the Preamble, expunge the words "although the sum specified in the affidavit to hold to bail should not be less than twenty shillings," and insert the words "when the sum sworn to shall amount to ten shillings."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. End return the Bill with the amendments to the Council, and acquaint them therewith.

Mr. Wilson, Chairman of the Select Committee relative to the Charlotte County Election, informed the House that difficulties had presented themselves in the course of the proceedings, which it was deemed necessary to bring under the consideration of the House, and submitted a report thereof, which he read, and then handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee sworn to try the merits of the Petition of William FitzWilliam Owen, Esquire, and others, against the return of Robert Thomson, Esquire, sitting Member for the County of Charlotte, report unanimously, that in proceeding with the investigation

investigation they find themselves embarrassed by the following circumstance, which they think it proper to report to the House.

"The list of votes given for Mr. Thomson, the sitting Member, and objected to by Mr. Owen, was filed by the Counsel of Mr. Owen with the Clerk of the House on the twentieth of January last. That the said list when so filed was not erased, altered and interlined in the manner in which it now appears to be; that the said list while it remained in the possession of the said Clerk, was in no manner erased, altered or interlined; that the sitting Member, Robert Thomson, Esquire, had repeated access to the said list between the period of its being filed and the time of the first meeting of this Committee and since; that all the erasures, alterations and interlineations so made in the said list would inure to the benefit of the said Robert Thomson, Esquire, and to the prejudice of the Petitioners.

"That after patiently hearing the explanations and statements which the sitting Member, Robert Thomson, Esquire, has made to this Committee, they nevertheless cannot escape from the belief that those erasures, alterations and interlineations have been made by the said Robert Thomson, Esquire, or with his privity and knowledge.

"All of which is respectfully submitted.

"W. WILSON, *Chairman*.

"Committee Room, 24th February, 1838."

The House having taken into consideration the said Report, and having heard the said Robert Thomson, Esquire, the sitting Member, in his place, touching the said Report, and the matters contained in the same.

*Resolved*, That the said Report be adopted; and further

*Resolved*, That Robert Thomson, Esquire, has been guilty of a high breach of the Privileges of this House; whereupon

On motion of Mr. Weldon,

*Resolved*, That for this his offence the said Robert Thomson be expelled from his seat in this House.

The House adjourned until Monday morning next at 10 o'clock.

### **Monday. 26th February, 1838.**

#### *Prayers.*

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had passed the following Bills:—

A Bill, intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County:"

A Bill, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution:" and

A Bill, intituled "An Act for the further amendment of the Law."

On motion of Mr. Partelow,

*Resolved*, That a Committee from this House be appointed to correspond with the Province Agent in London upon all matters connected with the affairs and interests of the said Province.

*Ordered*, That Mr. Partelow, Mr. Woodward, Mr. Rankin and Mr. Wyer, do compose the said Committee.

On motion of Mr. Partelow,

*Resolved*, That a Select Committee be appointed to take into consideration, during the recess, the subject of the Post Office Department within the Province, and report thereon by Bill or otherwise at the next Session of the Legislature.

*Ordered*, That the Honorable Mr. Johnston, Mr. Partelow and Mr. Woodward, be a Committee for that purpose.

On motion of Mr. Partelow,

That the House do now go into Committee of the whole, on a Bill to explain and amend an Act to incorporate sundry persons by the name of *The Saint John Water Company*.

To which Mr. Weldon moved as an amendment, to expunge the word "now," and insert the words "at the next Session of the General Assembly."

And upon the question, it was carried in the affirmative.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act to amend the Law relating to Bills of Exchange and Promissory Notes."

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved—

"That the further consideration of the said Bill be postponed for three months."

And upon the question, it was carried in the affirmative.

*Ordered*, That the Report be accepted.

A Message from His Excellency the Lieutenant Governor,

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message:—

**"New Brunswick.**

*"Message to the House of Assembly, 24th February, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor submits to the House of Assembly, and recommends to their consideration, a letter and statement addressed to him by the Commissioner of Crown Lands, shewing the amounts received and due on sales of Land and Timber, with other matters relating to the Casual Revenue.

"J. H."

[*See these documents, Appendix, No. 3.*]

And the Honorable Mr. Johnston also, by command of His Excellency, laid before the House the following documents:—

Schedule of Lands granted to, reserved for, or holden by the Ordnance Department, as requested by a Resolution passed on the 25th January last;

[*See Appendix, No. 3.*]

Statement of fees and perquisites of Office, received by the Administrator of the Government, Chief Justice, and Judges of the Supreme Court, and other Public Officers, as requested by an Address to His Excellency of the 6th instant;

[*See Appendix, No. 16.*]

Returns from the High Sheriff and Clerk of the Peace for the County of Carleton, of Fines imposed and received since the organization of the County in 1833, likewise furnished under an Address of the 6th instant; also

[*See Appendix, No. 17.*]

Report and survey of the River Saint John from Fredericton to the Grand Falls, made by Robert Foulis in 1826, by order of His Excellency Sir Howard Douglas, furnished under a Resolution of the 22d instant.

[*See Report, Appendix, No. 18.*]

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill further to amend the Acts relating to the collection of the Revenue of the Province.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under consideration, made an amendment thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill as amended engrossed.

On motion of Mr. Weldon,

*Ordered*, That the House do go into Committee of the whole, on a Bill further to amend an Act, intituled "An Act to provide for the collection of the Revenue of the Province," this day three months.

On

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £1000 for the purpose of encouraging the erection of Mills and Kilns in proper situations throughout the Province; no greater sum than £25 to be apportioned to the owner of any one Mill and Kiln; the said bounty not to be paid until it shall be certified to His Excellency the Lieutenant Governor or Commander in Chief, by the Court of General Session of the Peace of the County within which such Mill and Kiln may be situate for which such bounty is claimed, that the same has been established at a convenient place for the accommodation of the inhabitants of the County, and are actually in operation and in every respect properly fitted for the manufacture of Oat Meal; provided that no Mill or Kiln which may have received any previous bounty, by virtue of any Law or Resolution heretofore made, shall be entitled to the bounty given by this Resolution.

That the sum of £15, granted for the Charlotte County Bye Roads, and returned to the Treasury by James Campbell, Esquire, be re-appropriated for the Road from the late James Stuart's Farm to John Dewar's, in the Parish of Saint George.

To Henry Whiteside, Clerk in the Treasurer's Office, Saint John, the sum of £25, as a compensation for his services in preparing and making up the accounts of the late Treasurer in so satisfactory a manner.

To His Excellency the Lieutenant Governor, the sum of £25 to remunerate John Nelson, Junior, for losses by him sustained when conveying Her Majesty's Troops to Canada on the 13th of January last.

To His Excellency the Lieutenant Governor, the sum of £100 towards defraying the expense of surveying and making out a certain division line between the Counties of King's and Queen's Counties, in conformity with the Resolution of this House of the 9th day of February instant.

To Lieutenant Colonel Allen, late inspecting Field Officer, the sum of £100, as a retired allowance for his long services in that capacity.

To Andrew Hay, the sum of £        towards remunerating him for making a Road between Boiestown and Campbleton in the year 1836.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 5.

NAYS, 17.

Whereupon it was decided in the negative.

To His Excellency the Lieutenant Governor, the sum of £        to assist in building a Bridge across the Texas River, between the Counties of York and Northumberland.

Upon the question for sustaining this Resolution, the Committee divided—

YEAS, 3.

NAYS, 18.

Which was likewise decided in the negative.

To James Whitney, of Saint John, the sum of £212 17 4, being a return of Provincial duties paid on Machinery for a Steam Boat to ply on the River Saint John, agreeably to the prayer of his Petition.

To the Saint John Water Company, the sum of £92 14, to refund them Provincial duties paid on Iron Pipes imported for the operations of the said Company, agreeably to the Report of the Committee of Trade.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £250 for the purpose of completing the exploration and marking out a line of Road from Woodstock to the head of Oak Bay in the County of Charlotte; the surplus after accomplishing the above object to be expended in opening that part of the said Road which lies within twenty miles of Oak Bay.

To the Commissioners appointed to run out and ascertain the line of division  
between

between this Province and the Province of Nova Scotia, the sum of £200 to remunerate them for expenses actually incurred in the said service, and to defray expenses that may hereafter be incurred in determining the same.

To the Honorable Judge Parker, Chairman of the Committee of the Law Society, the sum of £25 to provide cases for the Law Library, and for return of duties upon Books imported for the Law Society in 1835.

To David Turner, of Saint Patrick, the sum of £30 to remunerate him for losses sustained by the carrying away of a Bridge in an unfinished state on the Le Proe River, by a freshet; the same to be taken out of the grant for the Great Road from Saint John to Saint Andrews for the present year.

To the Chairman of the Committee of Public and Private Accounts, the sum of £150 for the various services performed by him during the recess, and also for extra services during the Session, in auditing and reporting the said accounts.

To His Excellency the Lieutenant Governor, the sum of £30 to enable His Excellency, to remunerate a licensed Ferryman at the Aroostook for his services in facilitating the passage of the Mails across the said River during the year 1838.

To His Excellency the Lieutenant Governor, the sum of £20 to enable His Excellency to remunerate a licensed Ferryman at the Jemseg and Washademoac for his services in facilitating the passage of the Mails across the said places during the year 1838.

*Resolved*, That there be granted for

### **Saint John County Bye Roads.**

The sum of £100 for the Road from Blakslee's Farm to Little River, and for the Bridge over Little River Marsh; £5 3 6 of which is to be paid R. F. Hazen and R. Calvert, a balance due them on a former exploration.

The sum of £30 for the Road from Little River to Mispick Mills; £10 of which to be expended between Anthony's Farm and Little River.

The sum of £20 for the Road from Mispick Mills towards Cape Spencer.

The sum of £30 for the Road from Little River to Loch Lomond.

The sum of £45 for the Road from Little River to Black River.

The sum of £30 for the Road from the old Westmorland Road through the Golden Grove Settlement.

The sum of £60 for the Road from Frog Pond to Cody's, Loch Lomond; £10 10 8 of which to be paid John Jordan, balance due him on former expenditure.

The sum of £20 for the Road from Cody's to the Forks at the head of the first Lake.

The sum of £40 for the Road from the Forks to the County line near Brand's Farm, called Cother's Road.

The sum of £30 for the Road from Cother's Road to Millican's past Jones', called Jones' Road.

The sum of £80 for the Road from head of large Loch Lomond to Quaco; £13 17 1 of which to be paid to E. Vaughan and J. Brown, former Commissioners, balance due them.

The sum of £30 for the Road from the Forks, Black Settlement Road, near Cody's, to Emerson's Creek through the Bloomsbury Settlement.

The sum of £15 for the Road from the Forks near M'Bratney's to Tynemouth.

The sum of £25 for the new Road opened by Brown, and others, past Brown's Mill, and thence to Tynemouth.

The sum of £10 for the Road from Black River to Emerson's Creek.

The sum of £10 for the Road from Emerson's Creek to Gardner's Creek.

The sum of £10 for the Road leading from Gardner's Creek to the ten mile Creek.

The sum of £25 for the Road leading from Cother's Road, (so called) on the Bridge across the Thoroughfare at the head of the second Lake, to the County line, towards the late Miller Smith's; of which £10 to be paid James Stackhouse for building a Bridge.

The sum of £40 for the Road from the Black Settlement Road near Cody's to the Quaco Road through J. M. Wilmot's Farm.

The sum of £20 for the Road from the Highway near Delaney's to the Kennebeckcasis.

The sum of £20 for the Road leading to Sand Point.

The

The sum of £15 to reimburse W. R. Sentell for an amount expended by him on the Road leading from the Quaco Road, near the Church, to Smith and Barnes' Mill.

The sum of £45 for the Road from the Farm lately occupied by Johnston on the Quaco Road, through the Ryan Settlement, to the new Shepody Road; £17 8 4 of which to be paid to James Millican, Commissioner, balance due him.

The sum of £25 for the Road from the Millican Settlement to the Hammond River, near Tabor's.

The sum of £20 for the Road from Quaco to the County line, near Tabor's.

The sum of £50 for the Road from the Great Salmon River towards Quaco.

The sum of £40 for the Road from the Great Salmon River towards the Shepody Road.

The sum of £10 for the Road from Black Beach to Pisarinco.

The sum of £10 for the Road from Sand Cove to the Main Road.

The sum of £10 for the Road from Frenchman's Creek, on the eastern side of Musquash Harbor, to the main Saint Andrews Road.

The sum of £25 for the Road from Quaco Road, near the Church, to the Road near Barnes', called Mill and Church Road.

The sum of £10 for the Road from the head of large Loch Lomond to the County line, towards Beattie's, and to build a Bridge across the Thoroughfare, at the head of the Lake.

The sum of £50 for the Road from Cody's, through the Caledonia Settlement, to the Hibernia Settlement, and to build a Bridge across one of the Branches of the Black River, near the Caledonia Settlement, thence to Quaco; a part to be expended in improving that part of the Road from the Parish line to Quaco.

The sum of £40 for the Road from Dipper Harbour School house to the Saint Andrews Road.

The sum of £10 for the Road from the Golden Grove Road, by the way of Barry's Mill, to the Loch Lomond Road.

The sum of £30 towards building a Bridge over Pisarinco Creek, on the Road from the Irish Settlement to the main Road leading from Saint Andrews to Saint John.

The sum of £10 for the Road from Black River Road through the Blbomsbury Settlement, near Ellison's, passing William Smith's on the second tier of Lots, to intersect the M'Bratney Road.

The sum of £35 for the Road from the Indian Town Road to the shore of the Kennebecasis at the Brothers.

The sum of £20 for the Road from John Davidson's to the old Quaco Road.

The sum of £15 for the Road from the Road near Millican's towards John Barnes', by the way of Michael Cain's.

The sum of £10 for the Road from Boar's Head to the Road leading from M'Caskey's to Portland.

The sum of £10 to explore a Road from Miskeck to west Beach Settlement.

And the Chairman further reported, that he was directed to ask leave to sit again.

Ordered, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the Resolutions of Appropriation, dated the 17th and 20th day of February instant; with the exception of the following grants, to wit:—

The sum of £15 to improve the Road from Benjamin Tibbets' to the American line:

The sum of £8 to improve the Road from Charles Palmer's to William Mallory's:

The sum of £10 to open a Road from John Johnston's to Joseph Dann's:

To Jane Davidson, a licensed Schoolmistress in the Parish of Nelson in the County of Northumberland, the sum of £10 for teaching a School in 1834 and 1835, agreeably to the prayer of her Petition:

To Joseph Prince, the sum of £20, being for one year's services in teaching a School in the Parish of Dorchester, County of Westmorland, in 1834:

To James Millar, a licensed Schoolmaster in the Parish of Chatham, County of Northumberland, the sum of £20 for one year's services in teaching a School in that Parish:

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To.



To James Sharp and George Clowes, Trustees of Schools in the Parish of Northampton, County of Carleton, the sum of £5 to remunerate John Chipman for teaching a School in that Parish for three months, from September to December last :

To Tristram Moore and Joel Scott, Trustees of Schools, the sum of £15 to remunerate Hannah Rogers for teaching a School in the Parish of Saint James, County of Charlotte, for one year .

To Margaret Merry, a licensed Schoolmistress in the Parish of Newcastle, County of Northumberland, the sum of £10, being for one year's services in teaching a School for the year ending the first day of July, 1836 :

To John M'Lauchlan, a licensed Schoolmaster, the sum of £20, being for one year's services in that capacity in Fredericton in the County of York :

To John M'Clain, a licensed Teacher, the sum of £10 for one year's services in teaching a School in the Parish of Sussex in King's County, ending December 1835 : and

To Bashaba A. Nevers, the sum of £10 for teaching a School in the Parish of Burton, County of Sunbury, for six months, ending 1st day of November 1837.

Which were not concurred in by the Council.

Mr. Street, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House upon the subject of appointing Commissioners for making an exploration of a line of Road from Miramichi to the head of the Grand Lake, reported, that they have attended to that duty, and that His Excellency was pleased to say he should have much pleasure in complying with the wishes of the House in that respect.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 27th February, 1838.

### *Prayers.*

Mr. Partelow, by leave, presented a Petition from James Bradley, and others, contractors for carrying the Mail between Saint John and Fredericton, praying Legislative aid ; which he read.

And the Rule of the House as to the time of introducing Petitions being dispensed with, *Ordered*, That the said Petition be received, and referred to the Committee of Supply.

Read a second time the following Bills sent from the Council :—

A Bill, intituled "An Act further to amend the Law :"

A Bill, intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County :"

and  
A Bill, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution."

On motion of Mr. Fisher,

Whereas it is desirable that the practicability of a better line for that part of the Great Road between Fredericton and the Canada line, which lies between the Ferries at Burgoyne's in the County of York, and Patchell's in the County of Carleton, should be ascertained ; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint one or more Commissioner or Commissioners to explore all those parts of the Roads, lying on both sides of the River Saint John between those places, and report thereon at the next Session of the General Assembly ; the results of such exploration, exhibiting a profile of the best line on each side of the said River for the said Great Road, with an estimate of the probable expense per mile on each line.

*Ordered*, That Mr. Fisher, Mr. Connell and Mr. Hill, be a Committee to wait upon His Excellency with the Address.

The Honorable Mr. Crane, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House of the 10th instant, on the subject of a survey of the Bay of Fundy being made, reported, that they had attended to that duty, and that His Excellency was pleased to say the wishes of the House should be complied with.

A

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Johnston, by command of His Excellency, delivered the following Message :—

**"New Brunswick.**

*" Message to the House of Assembly, 26th February, 1838.*

" J. HARVEY, LT. GOVERNOR.

" THE Lieutenant Governor submits to the House of Assembly, a letter addressed to him by the Clerks of several of the Counties, praying for compensation for services performed by them relating to the Quit Rents; and recommends the same to the favorable consideration of the House.

" J. H."

The Honorable Mr. Johnston, also by command of His Excellency, laid before the House :—

Copy of a Despatch from His Excellency Sir Colin Campbell, Lieutenant Governor of Nova Scotia, in reply to a Despatch from His Excellency on the subject of the survey of the Bay of Fundy, and which is as follows :—

*" Government House, Halifax, 20th February, 1838.*

" SIR,

" I have the honor to acknowledge the receipt of Your Excellency's Despatch of the 11th February, transmitting copies of Addresses that had been presented to you by the Legislative Council and House of Assembly of New Brunswick, praying that you would urge Her Majesty's Government to cause an immediate survey to be made of the Bay of Fundy.

" I have had much pleasure in complying with Your Excellency's request, by bringing this important subject under the consideration of the Council and Assembly of this Province; and I feel persuaded, that both Houses will co-operate as readily as I shall with Your Excellency, and the Legislature of New Brunswick, in endeavouring to effect this desirable object.

" I have the honor to be, &c. &c. &c.

(Signed)

" C. CAMPBELL."

His Excellency Major General Sir JOHN HARVEY, K. C. H., Fredericton.

On motion of Mr. Street,

Whereas in order to protect and preserve the rights of the Indians in the County of Northumberland, it is thought necessary and desirable that Commissioners should be appointed to distribute any Legislative aid that may from time to time be granted for the benefit of those people, and also to protect the Indian Reserves in that County from aggression, and also to examine such Reserves, and to make report to His Excellency the Lieutenant Governor of the general state thereof, pointing out in such report such parts of said Reserves as may be sold without injury to the Indians, in order that those parts may be sold, and the proceeds thereof constitute a fund for the benefit of the Indians of that County; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to appoint such number of Commissioners in the said County for the objects contemplated in the foregoing Resolution, as he may deem necessary to carry the same into effect.

*Ordered*, That Mr. Street, Mr. Hanington and Mr. Stewart, be a Committee to wait upon His Excellency with the Address.

Read as engrossed,

The Resolutions of Appropriation, made and passed the 22d and 26th instant.

*Ordered*, That Mr. Woodward take the said Resolutions to the Council, and desire their concurrence thereto.

Mr. Wilson, Chairman of the Select Committee to try the matters of the Petition against the Return of Robert Thomson, Esquire, a Member for the County of Charlotte, communicated to the House that they had closed the investigation, and submitted their report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows :—

" The Select Committee appointed for taking into consideration the Petition of William FitzWilliam Owen, Esquire, and others, against the return of Robert Thomson, Esquire, as a Member for the County of Charlotte, report, that from the evidence adduced before the said Committee it appears that the said William FitzWilliam Owen, Esquire,

Esquire, had a majority of good votes at the late Election for the County of Charlotte, and that he is entitled to his seat as a Member of this House in the room of the said Robert Thomson, Esquire; the Committee, however, do not report that the opposition to the said Petition is frivolous or vexatious.

“W. WILSON, *Chairman*,

“*Committee Room, 27th February, 1838.*”

Whereupon on motion of Mr. End,

*Ordered*, That the Clerk of the Crown in Chancery do forthwith attend this House with the Writ and Return for the County of Charlotte, in order that the said Return may be amended by erasing the name of the said Robert Thomson, Esquire, and inserting the name of William Fitz William Owen, Esquire, in place thereof.

The Clerk of the Crown in Chancery having attended with the said Writ, and the alteration being made in the Return by erasing the name of Robert Thomson and inserting that of William Fitz William Owen, in obedience to the order of the House, the said Writ and Return so amended were then handed back to the said Clerk of the Crown, who then retired; when

On motion of Mr. Street,

*Resolved*, That a Committee be appointed to attend the Commissioner with Mr. Owen, and see him qualified.

*Ordered*, thereupon, That Mr. Brown and Mr. Hill be the Committee for that purpose.

Mr. Brown, from the said Committee to attend the Commissioner with Mr. Owen, reported, that they had attended thereto, and that Mr. Owen had taken the oaths prescribed by Law, and subscribed the declaration in their presence.

Whereupon Mr. Owen took his seat.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill imposing duties upon certain articles imported into this Province.

Mr. McLeod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Resolutions of Appropriation, dated the 16th February instant, with the exception of the following grant:—

To Jarvis Ring, Aaron Hartt, and others, the Committee of Management for the New Brunswick Baptist Education Society, the sum of £500, to assist them in discharging the debt incurred in the purchase of land and the erection of the Seminary established at Fredericton.

And he also informed the House that the Council had agreed to

The Bill to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John,

Without any amendment.

And that they had also passed the following Bills:—

A Bill, intituled “An Act to alter the times for the appointment of Sheriffs, and Supervisors of Great Roads:” and

A Bill intituled “An Act to amend the Laws relating to the solemnizing of Marriage.”

To which they desire the concurrence of the Assembly.

The Bills sent from the Council, were then severally read a first time.

On motion of Mr. Woodward,

The House went into Committee of the whole, in further consideration of a Bill to amend an Act, intituled “An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province.”

Mr.

Mr. H. T. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under consideration, made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of the Messages received from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having other Messages under their consideration had passed two Resolutions, and having read the same, he handed them in at the Clerk's Table, where they were again read, and are as follow :—

1. *Resolved*, as the opinion of this Committee, That the communication from the Queen's Printer, laid before the House on the 18th February instant, by command of His Excellency, on the subject of provision being made towards printing the revised edition of the Laws, should be referred to the Committee of Supply.

2. *Resolved*, as the opinion of this Committee, That while they are fully of the opinion that Miramichi should have been made a Free Port, yet that as the sum of £4250 sterling, has been granted for the support of the Custom House Establishment within this Province, the Committee are of opinion it is as much as this Colony ought to pay, either for the support of the Officers of Customs, to enable them to carry into effect the Acts of the Imperial Parliament relating to the trade of the Empire, or for the collection of the Revenue arising from the same, particularly as this large amount is now paid from taxes imposed upon the consumption of articles.

The Chairman then further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Wednesday, 28th February, 1838.

#### Prayers.

Read a second time the following Bills, sent from the Council :—

A Bill, intituled "An Act to amend the Laws relating to the solemnizing of Marriage:" and

A Bill, intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads."

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act for the further amendment of the Law."

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

The Honorable Mr. Crane, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 21st instant, requesting that His Excellency would be pleased to direct that a competent person should be employed to make another exploration on a part of the new Road leading from Fredericton to Westmorland, also a branch proposed to extend from said Road to the Tide waters of the River Richibucto, reported, that they had attended thereto, and that His Excellency was pleased to say that the wishes of the House should be complied with.

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House of the 23d instant, upon the subject of the Indian Reserves in the County of Kent, reported that they had attended to that duty, and that His Excellency was pleased to say that he should have much pleasure in adopting the wishes of the House upon that subject.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution."

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of Mr. Weldon,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County."

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

Mr. H. T. Partelow, pursuant to leave, brought in a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Which was read a first and second time; and

On motion of Mr. Partelow,

The House went into Committee of the whole, on the said Bill.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, made progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Palmer,

The House went into Committee of the whole, on a Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Messages again before them, had passed two Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

1. *Resolved*, as the opinion of this Committee, That His Excellency's Message of the 20th February, relative to the expenses of the Circuits in 1835, be referred to the Committee of Supply.

2. *Resolved*, That His Excellency's Message of the 26th February, relative to compensation to the Clerks of the Peace for refunding Quit Rents, be referred to the Committee of Supply.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Woodward, from the Committee of Trade, submitted a further Report, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee of Trade, to whom were referred, on the 19th instant, the Petition of John Kinnear, William Walker, James T. Hanford, Barnabas Tilton, and 71 others, Merchants

Merchants and Traders of Saint John, praying that an Act may pass authorizing the inspection of Flour and Meal, have had the same under consideration, and report, that the subject matter of the said Petition involving great interests, has had their best consideration, and they recommend that a Committee be appointed to make inquiries during the recess; and report at the next Session of the Legislature by Bill or otherwise.

"All which is respectfully submitted.

"I. WOODWARD,  
THOS. WYER,  
JOHN M. WILMOT,  
THOS. BARLOW,  
HENRY T. PARTELOW,  
P. STEWART.

"Committee Room, 28th February, 1838."

*Ordered*, That the Report be accepted; and

On motion of Mr. Partelow,

*Resolved*, That a Committee be appointed to carry into effect the recommendation contained in the said Report.

*Ordered*, That Mr. Partelow, Mr. Barlow and Mr. Woodward, do compose the said Committee.

On motion of Mr. Weldon,

*Ordered*, That the Report from the Select Committee, submitted to the House on the 20th instant, in reference to the Provisional Board of Audit, be referred to a Committee of the whole House on Friday next.

On motion of Mr. Fisher,

The House went into Committee of the whole, on a Bill in addition to an Act, intituled "An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery."

Mr. Hill in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, the following was moved—

"*Resolved*, That the further consideration of this Bill be postponed for three months."

And upon the question, it was carried in the affirmative.

*Ordered*, That the Report be accepted.

Mr. End, pursuant to leave, brought in a Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province; which was read a first and second times; and

On motion of Mr. Partelow,

The House went into Committee of the whole, on the said Bill.

Mr. McLeod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, made progress therein, and that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That there be granted

The sum of £33 for building and completing a Bridge over Bull's Creek in the County of Carleton.

The sum of £30, appropriated last winter Session, from Benjamin Tibbets' to the American line, be re-appropriated, and be expended on a Road from Benjamin Tibbets' to a back Settlement.

To

To His Excellency the Lieutenant Governor, the sum of £        to remunerate the Emigrant Agent at Saint John for extra services.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.	NAYS.
The Hon. Mr. Speaker,	Mr. Fisher,
The Hon. Mr. Johnston,	Weldon,
The Hon. Mr. Crane,	Palmer,
Mr. Wyer,	M'Almon,
H. T. Partelow,	Hanington,
M'Leod,	Connell,
Woodward,	Beardsley,
Barlow,	Freeze,
J. M. Wilmot,	Gilbert,
End,	L. A. Wilmot,
Wilson,	Hill,
Partelow,	Brown,
Allen,	Owen,
Stewart,	Street.
Jordan.	

Whereupon it was carried in the affirmative.

And upon the question for filling up the blank with £50, it was also carried in the affirmative; and further

*Resolved*, That no further provision will be made for this service.

Upon the question for sustaining this Resolution, the Committee again divided as follows:—

YEAS.	NAYS.
The Hon. Mr. Crane,	The Hon. Mr. Speaker,
Mr. M'Almon,	Mr. Wyer,
Palmer,	H. T. Partelow,
Weldon,	Gilbert.
Street,	M'Leod,
Hanington,	Freeze,
Brown.	Woodward,
Connell,	J. M. Wilmot,
Beardsley,	Barlow,
L. A. Wilmot,	Partelow,
Fisher,	Wilson,
Owen,	End,
Hill.	Allen,
	Stewart,
	Jordan.

And it was decided in the negative.

To His Excellency the Lieutenant Governor, the sum of £250 to defray the expenses of the Judges travelling the Circuits in 1835.

*Resolved*, That there be granted for

#### **Dork County Bye Roads.**

The sum of £25 for the Road leading to the Howard Settlement.

The sum of £7 10 for the Road from the Howard Settlement to Dow's Mills.

The sum of £15 to repair the Bridge over the Shugomock Stream.

The sum of £20 for the Road through the Poquiock Settlement.

The sum of £15 for the Road from the Poquiock Settlement to the Magundy.

The sum of £35 to open and improve a Road from Carson's in the Poquiock Settlement to Wilson's Mills.

The sum of £20 for the Road on the base line, Magundy, from No. 1 to No. 16.

The sum of £25 to remunerate Robert Michael for erecting a Bridge over the Waterloo Stream, and to improve the hills.

The sum of £20 for a Bridge over the Magundy Stream, between Lake George and the Magundy.

The sum of £20 for the Road from the School House, Magundy, to the Magagavadavic Ridge.

The sum of £60 to open and improve a new line of Road from Lawson's lower line to Wilson's Mill.

The sum of £15 for the Road from John Gray's to Lake George.

The sum of £7 10 for the Road from John Donnelly's base line to Lake George.

The sum of £75 to remunerate John Camber for expenses incurred in improving the Road from Kelly's Creek to the upper side of Long's Creek, and further to improve the same.

The sum of £10 for the Road from Nicholas Barker's to James Scott's.

The sum of £15 towards erecting a Bridge over a Creek in the Parish of Dumfries, between Mr. Palmer's and Major Davidson's.

The sum of £50 for the Road leading to and through the Smithfield Settlement.

The sum of £15 for the Road from Lawrence Grant's, Southampton, to the Campbell Settlement.

The sum of £10 to open a Road from the mouth of the Nackawickack to Huestis' Mills.

The sum of £25 for the Road leading to and through the upper Caverhill Settlement.

The sum of £25 for the Road leading to and through the lower Caverhill Settlement.

The sum of £25 for the Road from Mitchell's to Adam Jackson's, and thence to Fleming's.

The sum of £50 for the Road from Adam Jackson's, by Stewart's, to the River Saint John.

The sum of £7 10 for the Road from the Scotch Settlement to Reuben Lyons'.

The sum of £15 for the Road from the mouth of the Mactaquack to the Scotch Lake Settlement.

The sum of £20 for the Road from the mouth of the Mactaquack to the upper line of the Parish of Douglas.

The sum of £30 for the Road from the upper line of the Parish of Douglas to Mauzeroll's Ferry.

The sum of £15 for the Road between Humphrey Sisson's and James Whitehead's.

The sum of £25 for the Road between Peleg Tripp's and the Keswick.

The sum of £15 for the Road from Darius Burt's to Gould Crouse's.

The sum of £10 for the Road between Jonathan Sisson's and Jacob White's.

The sum of £25 for the Road between Elijah Sheppard's and Samuel Pickard's.

The sum of £10 for the Road between Moses Lawrence's and William Estey's.

The sum of £10 for the Road between Jeremiah Christy's and Darius Burt's.

The sum of £10 for the Road between Alexander Scott's and George Hawkins'.

The sum of £15 to improve the Road or build a Bridge over the Creek on the Madam Keswick, leading from Lawrence's to Jones'.

The sum of £15 for the Road leading from the Mactaquack Bridge to Jacob M'Keen's.

The sum of £10 to improve the hill near Anthony Smith's on the Royal Road.

The sum of £7 10 for the Road leading to the Hurlet Settlement.

The sum of £17 10 for the Road leading from the Royal Road to Charles King's.

The sum of £30 for the Road between the Bird Settlement and Jones' Mills.

The sum of £30 for the Road from William Johns' to the south branch of the Tay.

The sum of £10 for the Road between Reece Jones' and William Johns'.

The sum of £15 for the Road from the Cardigan Road to the Company's Road through Jones' and George's Settlement.

The sum of £40 towards erecting a Bridge over Jouett's Creek in the Parish of Saint Mary's.

The sum of £70 towards erecting a Bridge over Bowlen Creek in the Parish of Saint Mary's.

The sum of £210 to remunerate Daniel Duff for expenses incurred by him in improving the Road round Weade's Hill, and further to improve the same.

The sum of £25 for the Road leading from the foot of Thompson's Hill, where the new line of Road intersects the old Road, to Camber's Creek.

The sum of £7 10 for the Road from the Hanwell Road to Hugh Foy's.

The sum of £15 for the Road from Hughes' on the Taxes River to the County line.



The sum of £25 to improve the Road leading from the Alms House in Fredericton to the New Maryland Road.

The sum of £15 to open a Road on the south west side of the Rushagonis Stream, from Israel Smith's to the Little Road.

The sum of £15 for the Road leading to the Little Settlement.

The sum of £60 for the Road leading to the New Maryland Settlement.

The sum of £20 for the Road from Israel Smith's to the School House, New Maryland.

The sum of £50 to remunerate Daniel Jewett for erecting a Bridge over the Madam Keswick Stream, and other services on the Roads.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

### Thursday, 1st March, 1838.

#### *Prayers.*

According to the Orders of the Day the following Bills sent from the Council, were severally read a third time, viz:—

A Bill, intituled "An Act for the further amendment of the Law :"

A Bill, intituled "An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution :"

A Bill, intituled "An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County."

And the question being severally taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Fisher return the Bills to the Council, and acquaint them therewith.

Read a third time as engrossed,

A Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province."

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Woodward take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill further to amend the Acts relating to the collection of the Revenue.

Mr. Hill then moved, that the House do again resolve itself into Committee of the whole, upon the re-consideration of the said Bill.

And upon the question, the House divided—

YEAS, 9.

NAYS, 9.

The division being equal, the Honorable Mr. Speaker decided in the negative.

*Resolved*, thereupon, That the Bill do pass.

*Ordered*, That Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

Read as engrossed,

The Resolutions of Appropriation made and passed the 28th February.

*Ordered*, That Mr. Wyer take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of Mr. Partelow,

The House went into Committee of the whole, on a Bill sent from the Council, intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads."

Mr. Gilbert in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the Bill referred to them, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

On

On motion of Mr. Woodward,

Whereas this House did, by Address to His Excellency the Lieutenant Governor on 2d January last, pray that His Excellency would be pleased to direct the principal Officers of Her Majesty's Customs for the Port of Saint John and its Out Bays, to have prepared, in order to be laid before the House, accounts of the imports and exports, also of all the duties collected under the different Acts of the Imperial Parliament, and a list of the Vessels on Registry at said Port for the year 1837: And whereas it is required by a Law of this Province, making provision for the Custom House establishment, "that the principal Officers of the Customs in this Province, shall, within one month after the 5th January in every year, render and exhibit and have filed in the Secretary's Office in this Province, a true account of all duties by them respectively collected within the period of the year then ending, with a particular account of all merchandise upon which such duties were imposed and collected, in order that such accounts may be laid before the House of Assembly at the then sitting or next meeting of the Legislature:" And whereas notwithstanding the aforesaid Address of this House, and also the Law of this Province on the same subject, there have not been laid before this House the accounts asked for by this House, nor agreeably to the said Law, but on the 23d February, only account of the "Staple Articles exported in the year ending 5th January 1838," accompanied by a communication from the Collector and Controller of Her Majesty's Customs at the Port of Saint John, dated "17th February 1838," to the Honorable William F. Odell, in which they state "we beg leave to state that the account of imports and exports is in the course of preparation, and will be furnished with all practicable dispatch to be laid before the House of Assembly;" in consequence of the information required not being furnished, the House cannot take any measures that might be advisable on their being in possession of the information desired; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to adopt such measures as will in future prevent a similar delay.

*Ordered*, That Mr. Woodward, Mr. Barlow and Mr. M'Leod, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. End,

*Ordered*, That the House do on Monday next go into Committee of the whole, in further consideration of the Address from the *Montreal Constitutional Association*, presented to the House on the 10th January, together with the Resolutions prepared by Mr. Partelow thereon, and laid before the House on the 17th of the same month.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 27th February, praying that His Excellency would be pleased to appoint one or more Commissioner or Commissioners to explore and report upon the Road lying between Burgoyne's Ferry in the County of York, and Patchell's in the County of Carleton, reported, that they had attended thereto, and that His Excellency was pleased to say that he would have great pleasure in complying with the prayer of the said Address.

Mr. L. A. Wilmot, from the Committee appointed, under a Resolution which passed on the 19th January last when in Committee on the Messages from His Excellency the Lieutenant Governor, to prepare a Bill in reference to Lands escheated for non-payment of Quit Rents, reported, that they had attended thereto, and submitted the said Bill, under the title of "A Bill to afford relief to those persons whose lands have been escheated for non-payment of Quit Rents."

The Bill being handed in, was read a first time.

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of the Messages from His Excellency the Lieutenant Governor.

Mr. Hanington in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee had under their consideration the report from Her Majesty's Attorney General in reference to the proceedings against the Estate

Estate of the late Receiver General, laid before the House by command of His Excellency on the 14th February last, and had passed a Resolution, which be read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

*Resolved*, as the opinion of this Committee, That under the difficulties which present themselves to prevent a recovery from the Estate of the late Receiver General of the balance of monies appearing due therefrom, it is expedient that a Bill be passed to discharge the Estate of the late Receiver General and his Sureties from all further liability upon payment of the sum of £1,612 5 3 currency, the balance admitted to be due by the Administrators of the Estate.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted; and

On motion of Mr. Weldon,

*Resolved*, That a Committee be appointed to carry into effect the recommendation contained in the foregoing Resolution, by preparing the said Bill.

*Ordered*, That Mr. Weldon, Mr. L. A. Wilmot and Mr. Street, be the Committee for that purpose.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

Report and plan of John Wilkinson, Esquire, a Commissioner appointed to explore a line for a Road between the Falls at the Magaguadavic and the Nerepis Road, accompanied by an account of the expenses incurred in performing the service amounting to £25 7 2.

[See Report, Appendix, No. 6.]

On motion of Mr. End,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed two Resolutions, which he read, and then handed them in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That it is not expedient at the present time to make the appropriations recommended in the report of the Navigation Committee.

Upon the question for sustaining the Resolution, the Committee divided as follows:—

YEAS.

The Hon. Mr. Crane,  
Palmer,  
M'Almon,  
Hanington,  
Partelow,  
Weldon,  
Wilson,  
Street,  
J. M. Wilmot,  
Barlow,  
Freeze,  
M'Leod,  
Hill,  
Brown,  
Owen.

NAYS.

The Hon. Mr. Speaker,  
The Hon. Mr. Johnston,  
Wyer,  
H. T. Partelow,  
Fisher,  
Gilbert,  
L. A. Wilmot,  
Beardsley,  
Connell,  
Taylor,  
Woodward,  
Jordan,  
Allen,  
Stewart.

Whereupon it was carried in the affirmative.

*Resolved*, That there be granted

To Bridget M'Donald, widow of the late James M'Donald, who was frozen to death on Lake Tamisquata while returning from conveying Her Majesty's Troops on their route to Quebec, to aid her in her present distressed circumstances, the sum of £25.

That in the Committee the following Resolution was offered—

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief, the sum of , to be applied towards the completion of an improved

improved Map of the Province now in the course of execution by Mr. Inches, under the direction of the Honorable the Commissioner of Crown Lands."

To which it was proposed as an amendment, to expunge all after the word "*Resolved*," and substitute the following—

"That the sum of £            be granted to Andrew Inches, draftsman, in the Crown Land Office, as a reward for his industry and ability in compiling a Map of the Province now in progress."

And upon the question for adopting the amendment, the Committee divided as follows:—

## YEAS.

The Hon. Mr. Speaker,  
Mr. Brown,  
Woodward,  
Hill,  
H. T. Partelow,  
Beardsley,  
L. A. Wilmot,  
Freeze,  
Connell,  
Jordan,  
M'Almon.

## NAYS.

The Hon. Mr. Crane,  
Mr. Stewart,  
Palmer,  
Hanington,  
Partelow,  
Allen,  
Weldon,  
End,  
Street,  
Wilson,  
Barlow,  
J. M. Wilmot,  
Taylor,  
M'Leod,  
Gilbert,  
Wyer,  
Owen,  
Fisher.

Whereupon it was decided in the negative.

The question was then taken upon the original Resolution, when the Committee again divided as follows:—

## YEAS.

The Hon. Mr. Crane,  
Mr. Stewart,  
Palmer,  
Hanington,  
Partelow,  
Weldon,  
Allen,  
End,  
Street,  
Wilson,  
Taylor,  
M'Leod,  
Wyer,  
Fisher.

## NAYS.

The Hon. Mr. Speaker,  
Mr. Woodward,  
Brown,  
Hill,  
H. T. Partelow,  
Gilbert,  
Beardsley,  
L. A. Wilmot,  
Freeze,  
Connell,  
J. M. Wilmot,  
Barlow,  
Jordan,  
M'Almon,  
Owen.

Which was likewise decided in the negative.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions as passed engrossed, and leave to sit again granted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the several Resolutions of Appropriation, dated the 21st and 22d of February, with the exception of the following grant, to wit:—

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding £435, to pay such Adjutants and Sergeant Majors of Her Majesty's Militia Forces, as shall appear to have performed their duty the past year, agreeably to the Law of the Province.

Which is not concurred in.

of

Mr.

Mr. Street, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of the 27th February, relative to appointing Commissioners for the Indians in the County of Northumberland for the purposes in the said Address mentioned, reported, that they had attended to that duty, and that His Excellency was pleased to say he would have much pleasure in complying with the wishes of the House on the subject.

The Honorable Mr. Crane, by command of His Excellency the Lieutenant Governor, laid before the House—

Accounts from the Collector and Controller, at the Port of Saint John, of duties collected at that Port and its Out Bays, under Acts of Parliament for the year ending 5th January last; also

Statement shewing the receipts and appropriations of the said duties.

[See Appendix, No. 15.]

Accompanying the said returns is the following communication from the Officers of that Department:—

*“Custom House, Saint John, 26th February, 1838.*

“SIR,

“We have the honor to transmit an account of all Duties received at this Port and its Out Bays, under Acts of Parliament, passed subsequent to 18th Geo. 3, C. 12, also a statement showing the appropriation of the said Duties for the year ending 5th January, 1838. We beg to explain, with reference to the sums refunded to the several parties therein named, under the authority of the orders of the Honorable the Commissioners of Customs, that the sums in question were paid as duties on goods which, upon their importation, were unaccompanied by the proper documents to entitle them to be admitted duty free, (See 26th Section, 3d and 4th Wm. 4th, C. 59,) and the orders from the Honorable Board are made upon proof being submitted to them that the goods were “British.”

“The sums paid to the principal Officers of this Revenue at Saint Andrews, were to meet the deficiency in the amount of duties collected at that Port to defray the proportion of the sum granted by the Province, allotted to that Port; it will be observed that the first payment made in the year ending 5th January, 1838, was for the quarter ending 5th January, 1837. The payment for the quarter ending 5th January, 1838, was made at this Port in the current quarter, and does not appear in the statement now transmitted, but in order to make up the sum of £4,250 sterling, retained for the payment of Salaries, from duties received under Acts passed subsequent to 18 Geo. 3, C. 12, for the year 1837, it is necessary to state the amount of the last payment, viz. £31 14 9 sterling.

We have the honor to be, Sir,

“Your most obedient humble servants,

“H. BOWYER SMITH, *Collector.*

“G. H. SMITH, *Act. Controller.*”

The Honorable W. F. OUELLE, &c. &c. &c.

On motion of Mr. Weldon,

*Resolved*, That in the opinion of this House, it is necessary that all the information furnished by John C. Vail, and others, to the Executive Government for the claim to the grant of the Legislature to encourage the running of a stage or public conveyance between Saint Andrews and the Nova Scotia line should be laid before the House.

Mr. Street, from the Committee appointed under a Resolution of this day to prepare a Bill to indemnify the Administrators of the late Receiver General, upon their paying a certain sum in discharge of the debt claimed by the Crown, reported, that they had attended thereto, and submitted the said Bill, under the title of “A Bill for the settlement of the Estate of the late Receiver General of this Province.”

The Bill as reported by the Committee being then handed in was read a first time.

On motion of the Honorable Mr. Crane,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct to be laid before this House, a copy of the Despatch from the Right Honorable Lord Glenelg, dated about the month of December 1835, on the subject of completing the survey of the tract of land purchased by the New Brunswick and Nova Scotia Land Company.

*Ordered*, That the Honorable Mr. Crane, the Honorable Mr. Johnston and Mr. Street, be a Committee to wait upon His Excellency with the Address.

The House adjourned until to-morrow morning at 10 o'clock.

FRIDAY,

**Friday, 2d March, 1838.**

*Prayers.*

According to the Order of the Day, a Bill sent from the Council, intituled "An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads," was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Taylor do return the said Bill to the Council, and acquaint them therewith.

Read a second time,

A Bill to afford relief to those persons whose Lands have been escheated for non-payment of Quit Rents : and

A Bill for the settlement of the Estate of the late Receiver General.

The Honorable Mr. Johnston, by command of His Excellency, laid before the House :—

Opinion from the Law Officers of the Crown as to the legal construction of the Marriage Act, 4 William IV, furnished in pursuance of an Address to His Excellency of the 17th February, viz:—

*"Fredericton, February, 1838.*

"MAY IT PLEASE YOUR EXCELLENCY,

"Your Excellency having communicated a Resolution of the House of Assembly, dated Saturday, 17th February, 1838, which is as follows, to wit:—

'*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct the Law Officers of the Crown to lay before the House their respective opinions as to the legal construction of the Marriage Act, 4th William IV, and whether the Licences now in use, are conformable to the provisions of the said Act, especially in that part, restricting certain Ministers and Teachers to the solemnization of Marriage between persons of their respective denomination only.'

"I have to observe, that the forms of those Licences as now used were submitted for my consideration as Attorney General, previous to their adoption ; my opinion then was, and I have not seen or heard any thing to induce me to alter the same, that the same are in strict conformity with the true legal intent and meaning of the several Acts of Assembly of the Province relating thereto.

"The Act of 4th William IV, is intituled 'An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province.'

"This Act is predicated on the several Acts of Assembly recited in the preamble to the same. The first of which, an Act passed in the twenty sixth year of the reign of King George the Third, at the first Session of the General Assembly after the establishment of the Province, is entitled '*An Act for preserving the Church of England*' as by law established in this Province, and for securing liberty of conscience in matters of Religion.'

"The second, an Act made and passed in the thirty first year of George the Third, entitled "An Act for regulating Marriage and Divorce, and for preventing Incest, Adultery and Fornication." By the third section of which last mentioned Act, all persons other than a Parson, Vicar or Curate, or some person in Holy Orders of the Church of England, or some Justice of the Peace, where there should be no Parson, Vicar, Curate, or other person in Holy Orders of the Church of England, were prohibited from solemnizing Marriage, under the penalty of one hundred pounds, with a proviso by way of exception, that any member of the Kirk of Scotland regularly ordained, according to the rights thereof, may celebrate and solemnize Marriage, according to the forms and usages of that Church, between persons of that Communion; also, that Quakers should have liberty to solemnize Marriage according to the usages and forms of that sect, in case both parties to such Marriage were Quakers; also, a like indulgence to Roman Catholics as between persons of that Communion only.

"Such were the Laws of the Province relating to the privilege of solemnizing Marriage, previous to the passing of the Act 4th of William the Fourth.

"Clergymen or persons in Holy Orders of the Church of England as by Law established, and Justices of the Peace, were the only persons authorized to solemnize Marriage indiscriminately between all classes of the inhabitants of the Province, with a permission, by way of exception to regular ordained Ministers of the Kirk of Scotland, persons denominated Quakers, and persons regularly ordained in Holy Orders of the Church of Rome, who were severally permitted to solemnize Marriage between persons of their several and respective persuasions only.

"The preamble of the Act of 4th William the Fourth, after reciting the substance of the 26th Geo. III., and 31st Geo. III, concluding with the exception in favor of the Clergymen of the Church of Scotland, Quakers and persons in Holy Orders of the Church of Rome to marry persons of that Communion only, proceeds as follows: 'And whereas it is just and equitable that the privilege of solemnizing Marriage should be further extended to all other Religious Teachers or Ministers of any denomination of Christians in this Province, such Ministers and Teachers not being engaged in any secular calling and,

and being British born subjects, chosen, elected or licensed, and having taken the oaths as mentioned and prescribed in the said first recited Act, (to wit, the Act for preserving the Church of England as by Law established in this Province, and for securing liberty of conscience in matters of Religion,) and being also duly licenced to solemnize Marriage as is therein after provided.'

"This preamble explicitly states the object of the Act, that is, in favor of liberty of conscience in matters of Religion, so far as the celebration of Marriage may be considered as concerned therewith, the same privilege which by the recited Acts was given to Ministers of the Kirk of Scotland, Quakers and persons in Holy Orders of the Church of Rome, with respect to persons of their respective persuasions, should be extended to Ministers and Teachers of *all other* denominations of Christians, such Teachers or Ministers being duly licensed for that purpose. It would, I conceive, be affording a construction quite beyond the intention of the Legislature, to consider it was giving to Ministers and Teachers of other denominations of Christians, rights and powers which are expressly prohibited to members of the Kirk of Scotland, Quakers, and persons in Holy Orders of the Church of Rome.

"In the construction of the enacting clauses of a Statute where any ambiguity exists, reference is usually had to the preamble, to enable the Court to come at the true intent and meaning of the Legislature, as all Statutes should be so construed as to carry into full effect that intention.

"After a long and explanatory preamble, the Act proceeds to declare, 'that from and after the passing thereof, nothing in the said Act for regulating Marriage and Divorce before recited, shall be construed to prevent any Minister or Teacher of any denomination of Christians in this Province, such Ministers and Teachers not being engaged in any secular calling, and being British born subjects actually resident in the Province, chosen, elected or licensed, and having taken the oaths agreeably to the before in part first recited Act, from celebrating and solemnizing Marriages, *agreeably to the forms and usages of their respective Churches or Denominations*. Provided always, that in order to exercise the privilege conferred by this Act, every such Minister or Teacher shall be licensed under the hand and seal of the Lieutenant Governor,' &c.

"By this first enacting clause, I consider the construction I have given as to the true intent and meaning of the Legislature is evidently borne out by the directions that the solemnization of such Marriage shall be *agreeable to the forms and usages of their respective Churches or Denominations*, evidently thereby contemplating a Marriage between persons belonging to such respective Churches or denominations of Christians,—a useless provision if the authority to marry were general and extended to persons of every religious persuasion.

"It was under the foregoing view of the case, that I gave my former opinion, that the license to marry as then adopted and at present used, are conformable to the provisions of the Act of Assembly in such case made and provided.

"Which is humbly submitted by

"Your Excellency's most obedient servant,

"CHARLES J. PETERS, *Atty. General*."

To His Excellency Sir JOHN HARVEY, K. C. H. & C. B. &c. &c. &c.

"I have carefully perused and considered the foregoing opinion of the Attorney General, and have also turned my attention to the several Acts of Assembly therein cited; and I fully concur in the opinion he has given, as to the legal construction of those Acts. I have always been of opinion, that the Legislature only intended, by the Act of 4th W. IV. C. 46, to provide for the Preachers and Teachers therein mentioned, the same privilege of solemnizing Marriage, which, by the Act of 31st Geo. III. C. 5, is provided for Ministers of the Kirk of Scotland, the Church of Rome and Quakers; and as they are by that Act restrained in their right to solemnize Marriage to only such persons as are of their respective denominations; so I conceive are all other Preachers and Teachers, except those of the Established Church of England, equally restricted by the provisions of the Act of 4th W. IV, C. 46, as connected with, and predicated upon, the Act of 31st Geo. III. C. 5.

"GEORGE FREDERICK STREET, *Solr. General*.

"*Fredericton, 27th February, 1838.*"

On motion of the Honorable Mr. Crane,

*Resolved*, That the Report from the Select Committee, submitted to the House on the 21st February, upon the subject of a proposed line of Road from Fredericton to Westmorland, be referred to the Committee of Supply.

On motion of Mr. Partelow,

*Resolved*, That the Petition from the Justices of the Peace, for the City and County of Saint John, praying an Act to pass for the erection of an Alms House, Work House and Public Infirmary for the said County, and aid to assist therein, which was presented to the House on the 22d January last, and ordered to lie on the Table, be now referred to the Committee of Supply.

Mr. Partelow, Chairman from the Committee on Public and Private Accounts, having had various accounts under their consideration, submitted a Report thereon, and handed the same in at the Clerk's Table, where it was again read.

[See Appendix, No. 7.]

Ordered,

*Ordered*, That the Report be accepted ; and

On motion of Mr. Partelow ; further

*Ordered*, That the said Report be referred to the Committee of Supply.

On motion of Mr. L. A. Wilmot,

The House went into Committee of the whole, on a Bill sent from the Council intitled "An Act to amend the Laws relating to the solemnizing of Marriage."

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill read a third time to-morrow.

On motion of Mr. Street,

The House went into Committee of the whole, on a Bill for the settlement of the Estate of the late Receiver General of this Province.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into consideration of the Bill referred to them, had made amendments thereto, and then agreed to the said Bill.

*Ordered*, That the Report be accepted, and the Bill engrossed as amended.

A Message from His Excellency the Lieutenant Governor.

The Honorable Mr. Crane, by command of His Excellency, delivered the following Message :—

**"New Brunswick.**

*" Message to the House of Assembly, 2d March, 1838.*

"J. HARVEY, LT. GOVERNOR.

"THE Lieutenant Governor submits to the consideration of the House of Assembly, a Report of the Commissioners appointed to examine and report upon the Casual Revenue accounts, pursuant to the provisions of the Act of Assembly, passed for that purpose.

" J. H."

*" Fredericton, 28th February, 1838.*

" MAY IT PLEASE YOUR EXCELLENCY,

" Your Excellency having been pleased to appoint us Commissioners to examine and report upon the Casual Revenue accounts for 1831, and the five following years, pursuant to the Act of Assembly, for that purpose made and passed ;

" We have the honor to report to Your Excellency, that on the 20th October last, we proceeded to the discharge of the duties imposed upon us, and continued our investigations with the exception of two adjournments, one of four, and the other of seven days, to the 9th of December ; and although we have devoted much time and labour to these investigations, we regret that we are unable to make a final or satisfactory report of our proceedings to the Legislature, during the present Session, as contemplated by the Act.

" This delay arises principally from the voluminous and complicated nature of those accounts ; and it is to be observed that the "returns" made out by the Commissioner of Crown Lands, for the information of the Legislature, have tended, in no small degree, to impede the progress of the Commissioners, from the imperfect and unsatisfactory manner in which those documents are made up.

" Our labours hitherto have therefore been applied to a preliminary arrangement and classification of the accounts, and comparing the same with the vouchers in the Auditor's Office for the whole term, preparatory to the examination of such persons as we might deem necessary to call before us ; which course we considered absolutely indispensable, in order to a thorough and satisfactory investigation.

" Should it be thought advisable by the Legislature that we should continue our labours, we beg leave to inform Your Excellency, that it will be necessary to extend the Act under which we have been appointed to the next Session of the Assembly.

" I have the honor to be, Sir,

" Your Excellency's most obedient humble servants,

" E. BOTSFORD,  
JOHN R. PARTELOW,  
L. A. WILMOT."

To His Excellency Major General Sir J. HARVEY, K. C. H. & C. B.  
&c. &c. &c.

E†

The



The House proceeded to the Order of the Day, to go into Committee of the whole, on the Report from the Select Committee, submitted to the House on the 20th February, upon the subject of the Provisional Board of Audit.

The Order of the Day being read.

The House accordingly resolved itself into said Committee.

Mr. Wilson in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the subject referred to them under their consideration, had passed one Resolution, and having read the same, handed it in at the Clerk's Table, where it was again read, and is as follows :—

*Resolved*, as the opinion of this Committee, That an efficient person as Auditor General, associated with the Chairman of the Committee of Accounts of the House of Assembly, would constitute a Board of Audit equal to all the duties devolving upon that Department, would meet the views of the Right Honorable Lord Glenelg, as expressed in his Despatch of the 5th September 1836, and would preserve to the Assembly that supervision and acquaintance with the receipts and expenditures of the Provincial Revenues which it is so desirable on every account to retain.

*Ordered*, That the Report be accepted.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer,

Without any amendment.

And that they had also agreed to

The Resolutions of Appropriation, dated the 26th of February last, with the exception of the following grant :—

To James Whitney, of Saint John, the sum of £212 17 4, being a return of Provincial duties paid on machinery for a Steam Boat to ply on the River Saint John, agreeably to the prayer of his Petition.

And he also informed the House that the Council had agreed to

The Bill to provide for the assessment of County and Parish Rates,

With amendments, to which they desire the concurrence of the Assembly.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of yesterday, on the subject of the delay by the Officers of the Customs at the Port of Saint John in furnishing the accounts from that Department, reported, that they had attended to that duty, and that His Excellency was pleased to say that the subject should have his immediate attention.

The Honorable Mr. Crane, by command of His Excellency the Lieutenant Governor, laid before the House—

Various documents from John C. Vail and others, to the Executive Government for the claim to the grant for the encouragement of the running of a stage or public conveyance between Saint Andrews and the Nova Scotia line, as requested by a Resolution of the House of the 1st instant.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, made further progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

On motion of Mr. Partelow,

The House went into Committee of the whole, on the amendments made by the Council to

The Bill to provide for the assessment of County and Parish Rates.

Mr. Palmer in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The

The Chairman reported, that the Committee had the said amendments before them, when he severally read the same, and they are as follow :—

At A. in Section I. expunge the words “upon the estates and incomes of the inhabitants of such Town or Parish, and also upon the estates of non-residents,” and insert the words “upon the real property situate within such Town or Parish, and upon the personal property and incomes of the inhabitants thereof.”

At B. insert the words “subject nevertheless to the provisions and regulations hereinafter contained.”

At C. expunge sections II., III., IV., V., VI., VII., VIII., and IX., and insert the following:—

“II. And be it enacted, That in the interpretation of this Act, the terms ‘real estate’ and ‘real property,’ shall be construed to include land and any buildings and other things erected on or affixed to land, and the terms ‘personal estate’ and ‘personal property,’ shall be construed to include all goods, chattels, monies and effects, and all debts due from solvent debtors, whether on account, contract, promissory note, bond or mortgage, and all public stocks or securities, and all stocks or shares in Joint Stock Banking or Insurance Corporations or Companies.

“III. And be it enacted, That in cases of mortgaged real estate, the mortgagor shall for the purposes of assessment be deemed to be the owner until the mortgagee shall have taken possession, after which the mortgagee shall be deemed to be the owner.

“IV. And be it enacted, That it shall be the duty of the Assessors, without delay, after receiving their warrants of assessment, as by Law directed, to meet at an appointed time and place to be agreed upon, and they, or the major part of them, shall make out a list, with columns therein; the first or left hand column to contain the names of such persons as are ratable within the Parish, both resident and non-resident; the second column to contain the amount of poll tax, to be paid by each inhabitant liable to pay a poll tax; the third column to contain the amount of real property within the Parish, owned by each inhabitant; the fourth column to contain the amount of the personal property of each inhabitant; the fifth column to contain the value of the real estate of non residents; the sixth column to contain the annual income of such male inhabitants as may derive income from any place, profession or employment, within this Province, not being from real or personal property; the seventh column to contain twenty per cent. of the before mentioned value of real and personal estates; the eighth column to contain the said sums, so reduced to twenty per cent. and the said sums of annual income; and when any inhabitant has both annual income, and twenty per cent. of the value of property set opposite his name in the said sixth and seventh columns, such sums shall be added together, and set in the eighth column; and the amount so to be raised and assessed, after deducting the whole amount of poll tax therefrom, shall be apportioned among the several persons so named in exact proportion to the sums in the eighth column set opposite to their respective names; the ninth and last column shall contain the several sums so apportioned, with the addition of the poll tax of each person liable to pay a poll tax, and shall be denominated “total assessment,” the same to be in the form following, that is to say:—

“Assessment of the Town or Parish of *(or District of the same as the case may be,)* in the County of \_\_\_\_\_ in pursuance of a warrant of the General Sessions of the Peace for the said County of \_\_\_\_\_ to levy the sum of \_\_\_\_\_ for \_\_\_\_\_ dated the \_\_\_\_\_ day of \_\_\_\_\_ A. D. 18 \_\_\_\_.

Names of Persons.	Poll Tax.	Real Estate (within the Parish) of Inhabitants.	Personal Estate of Inhabitants.	Real Estate of non-residents.	Annual Incomes.	20 per cent. of value of Property.	Amount to be taxed.	Total Assessment.
	s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.	£. s. d.
A. B.	1 4	200 0 0	100 0 0	0 0 0	0 0 0	60 0 0	60 0 0	1 5 4
C. D.	1 4	300 0 0	100 0 0	0 0 0	50 0 0	80 0 0	130 0 0	2 13 4
E. F.	0 0	0 0 0	0 0 0	200 0 0	0 0 0	40 0 0	40 0 0	0 16 0
G. H.	1 4	0 0 0	0 0 0	0 0 0	20 0 0	0 0 0	20 0 0	0 9 4
I. K.	1 4	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 1 4.

“And the said Assessors shall within sixty days, deliver to the several Collectors of rates within the respective Towns or Parishes, lists made out in form aforesaid, and containing the names of all persons rated within the several and respective districts to which

which the said Collectors may have been appointed ; such lists being signed by the said respective Assessors, and having endorsed thereon a precept, under their hands, in the form following, that is to say :—

“To A. B. one of the Collectors of rates in the Town or Parish of \_\_\_\_\_ or to any other Collector of rates in the Town or Parish of \_\_\_\_\_.

“You are hereby required forthwith to collect from the several persons named in the annexed assessment, the sums set against their names respectively, under the last column thereof, intituled “Total Assessment,” amounting in the whole to the sum of \_\_\_\_\_ and to pay the same when collected into the hands of \_\_\_\_\_ County Treasurer, (*or Overseer of the Poor, or otherwise as the case may be.*)

“Given under our hands the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_.

“And further, it shall be the duty of the said Assessors to make out a duplicate of all and every of their respective assessments, and to transmit the same, together with the warrant of assessment, within ten days after the assessment is completed, to the Clerks of the Peace of their respective Counties, to be filed of Record ; and if any Assessor shall neglect or omit to perform the duty herein required of him, he shall be liable to the penalty of ten pounds ; and the provisions in this section contained shall be deemed and taken to be in lieu of the provisions of the second section of an Act passed in the seventh year of the reign of King William the Fourth, intituled ‘An Act to provide for the collection of County and Parish Rates.’

“V. And be it enacted, That if any person liable to be assessed as an inhabitant of a Parish, shall at any time before the Assessors shall have completed their assessment, furnish such Assessors with an account in writing of his real property situate within the Parish, and of his personal property and income, and shall specify in such account the value of such real property, and the amount of his income, and the amount of his personal property, according to the specification of personal property in the second section of this Act, after deducting therefrom the just debts which he may owe to other persons, and shall have made oath before a Justice of the Peace, that such account is just and true, and that the value and amount of such real and personal property, and income respectively, do not exceed the sums specified in such account, it shall be the duty of the Assessors to value such real and personal property and income at the sums respectively specified in such account, and no more ; and in like manner if any person liable to be assessed as a non-resident owner of any real property lying within the Parish, or the agent of such person so liable to be assessed as a non-resident owner, shall furnish the Assessors with a like account of such real property, and shall have made oath, that the value thereof does not exceed the sum specified in the account, it shall be the duty of the Assessors to value such real property at the sum specified in such account, and no more.

“VI. And in order that there may be sufficient opportunity for persons liable to assessment, to furnish the Assessors with statements of their property and income if they shall think fit, Be it enacted, that the Assessors forthwith, after receiving any warrant of assessment, shall cause public notice thereof to be given by posting up notices in at least three of the most public places within the Parish, and also by publishing such notice in one or more public newspapers, if there be any such newspapers published within the Parish.

“VII. And be it enacted, That when the owner of any real property assessed within any Parish, as the estate of a non-resident, shall reside within the County of which such Parish forms a part, the Collector of taxes for the place where the assessment is made, shall proceed to collect and recover the rate or assessment from such owner, in the manner directed for collecting and recovering rates from inhabitants of Parishes in the said recited Act, passed in the seventh year of the reign of King William the Fourth, intituled ‘An Act to provide for the collection of County and Parish Rates.’

“VIII. And be it enacted, That when the owner of any real property assessed within any Parish, as the estate of a non-resident, shall not reside within the County of which the Parish forms a part, the Collector of taxes for the place where the assessment is made, may sue for the rate or assessment in an action of debt or assumpsit in any Court having jurisdiction to the amount thereof in his own name, in like manner as for his own proper debt, and in such action an extract from the assessment shewing the rate or assessment

assessment of the person so sued, certified by the Clerk of the Peace with whom the assessment is filed, shall be conclusive evidence of such rate or assessment; or such Collector may proceed to obtain payment of the rate or assessment of such non-resident in the following manner (that is to say;) if such non-resident owner, or some one on his behalf doth not appear to pay such rate or assessment, the Collector shall as soon as may be, cause public notice to be given of such rate and assessment by advertisement in one public newspaper published in the County where the real property lies, or in the Royal Gazette published by the Queen's Printer, if there be no such newspaper published in such County, or if the assessment be in the County of York, which advertisement shall be continued for three months, unless some person shall within that time appear and pay to the Collector such rate or assessment, and the charges of advertising the same; and in case no person shall so appear within that time and pay such rate or assessment, it shall and may be lawful for any two Justices of the Peace in the County where the real property lies on the application of such Collector, by warrant under their hands and seals, to order the Sheriff of the County to sell at public auction to the highest bidder, first giving thirty days notice of such sale in the manner before mentioned, so much of the said real property as may in his judgment be sufficient to pay such rate or assessment with all the costs and charges attending the recovery of the same, retaining the overplus, if any, for the use of such owner, and the said Sheriff is hereby empowered and directed to execute a deed to the purchaser thereof, his heirs and assigns, and to deliver seizin and possession of the same to such purchaser.

"IX. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to render liable to taxation the real or personal property of the Corporation of the City of Saint John, or of any religious, literary or charitable Corporation, Society or Institution, or of any Joint Stock Banking or Insurance Corporation or Company.

"X. And be it enacted, That the real and personal property of all Joint Stock Corporations, (Banking and Insurance Corporations excepted,) shall be liable to taxation under this Act in like manner as the real and personal property of individuals; and for the purposes of taxation under this Act, the President or any Agent or Manager of any such Joint Stock Corporation, shall be deemed to be the owner of the real and personal property of such Corporation, and shall be dealt with, and may be proceeded against accordingly, and the principal place of carrying on the business and operations of any such Corporation, shall be deemed to be the place of inhabitancy of such Corporation: Provided always, that such President, Agent or Manager shall in regard to the real and personal property of such Corporation, be taxed separately and distinctly from any other tax or assessment to which he may be liable and may charge against, and recover from such Corporation the amount of any tax or assessment which he may have been required to pay on account of such Corporation under the provisions of this Act.

"XI. And be it enacted, That any person thinking himself aggrieved and overrated, either with regard to property or income, may appeal to the Justices of the Peace for the County, at their next General Sessions, after he shall have had notice of such assessment, and the said Justices shall examine into the appeal, and if the same shall be supported to their satisfaction, give such relief as they may think just, either by directing the sum overrated not to be collected, or if collected and paid, to be repaid, or else that such persons shall be allowed the sum so overrated in any future assessment of his property or income."

At D. expunge "X." and insert "XII."

At E. expunge the Sections XI. and XII.

At F. in the title, insert the word "better."

That the eighth Section thereof being under consideration,

The question was taken thereon, when the Committee divided as follows:—

YEAS.  
 The Hon. Mr. Speaker,  
 Mr. Taylor,  
 Wilson,  
 Hanington,  
 M'Almon,  
 Stewart,  
 H. T. Partelow,  
 Barlow,  
 Hayward,  
 Brown,  
 Fisher,  
 Jordan,  
 M'Leod,  
 Freeze,  
 Partelow,  
 Weldon,  
 Woodward,  
 Connell.

NAYS.  
 The Hon. Mr. Johnston,  
 Mr. Street,  
 J. M. Wilmot,  
 Gilbert,  
 Wyer,  
 Owen,  
 Hill.

Whereupon it was carried in the affirmative.

That the Committee then went through the said amendments, and agreed to the same.

*Ordered*, That the Report be accepted.

The House adjourned until to-morrow morning at 10 o'clock.

### Saturday, 3d March, 1838.

#### *Prayers.*

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House:—

Report from George Hayward, James Brown, and Adam Sharp, Commissioners appointed to explore that part of the Great Road from Fredericton to the Canada line, which lies between Camber's Creek and Burgoyne's Ferry.

[*See Report, Appendix, No. 6.*]

And he also laid before the House,

Reports from the Deputy Commissioners of Crown Lands of the several Districts, shewing the excess of Timber and Logs cut for the last two years, furnished under an Address to His Excellency of the 9th ultimo.

[*See Appendix, No. 3.*]

According to the Order of the Day, the Bill sent from the Council, intituled "An Act to amend the Laws relating to the solemnization of Marriage," was read a third time.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Fisher return the Bill to the Council, and acquaint them therewith.

Mr. M'Almon, a Member for the County of Kent, applied for leave of absence, private business of importance requiring his attendance.

Which was granted.

Read a third time as engrossed,

A Bill imposing duties upon certain articles imported into this Province.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Weldon take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill for the settlement of the Estate of the late Receiver General.

*Resolved*, That the Bill do pass.

*Ordered*,

*Ordered*, That Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

Read a third time as engrossed,

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary services of the Province.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Barlow take the said Bill to the Council, and desire their concurrence thereto.

On motion of Mr. End,

Whereas in order to protect and defend the equitable rights of the Indian Tribes in the County of Gloucester, it is thought necessary that Commissioners should be appointed to superintend their affairs and carry into operation such measures as may be hereafter adopted by Government for their benefit, to make report to His Excellency the Lieutenant Governor, as to their general condition, and in what manner those tracts of Land reserved for their use may be rendered most beneficial to them; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to carry into effect the objects of the foregoing Resolution in such manner as to him may seem necessary.

*Ordered*, That Mr. End, Mr. Stewart and Mr. Weldon, be a Committee to wait upon His Excellency with the said Address.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That there be granted

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £20 for the purpose of paying a Tide Waiter at Richibucto, for the year 1838.

To Esther C. Haviland, the sum of £10, being for six months service in teaching a School in the Parish of Portland in the year 1838.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £150, being for contingencies for the Public Service.

To James Whitney, of Saint John, the sum of £100 for carrying the Mails to and from Saint John to Digby and Annapolis, Eastport, Saint Andrews and Campo Bello, for one year, from the 1st April 1838 to 1st April 1839; to be paid quarterly by Warrant of His Excellency the Lieutenant Governor or Commander in Chief, on a certificate being produced that the same has been properly performed.

To His Excellency the Lieutenant Governor or Commander in Chief, for the time being, a sum not exceeding £150 to enable His Excellency to remunerate the Clerks of the Peace for collecting receipts and refunding the Quit Rents, at the rate of 10 per cent. on the amount repaid by them respectively.

To Crookshank and Walker, of Saint John, the sum of £8 15 6, being for drawback on a puncheon of Rum exported to Digby, Nova Scotia, on the 14th July last.

To His Excellency the Lieutenant Governor, the sum of £25 to assist in building a Wharf or Slip at the Ferry Landing in Newcastle, opposite the town of Chatham.

To the Justices of the Peace for the City and County of Saint John, the sum of £1000 towards the erection of an Alms House, a Work House and a Public Infirmary, in that City or County; the same not to be drawn from the Treasury until 1839.

To His Excellency the Lieutenant Governor or Commander in Chief, for the time being, the sum of £25 in aid of private subscriptions, to build a Wharf or Steam Boat landing at Salt Water in Saint Stephen.

To His Excellency the Lieutenant Governor, the sum of £500 for the purpose of making further improvement on the new Road leading from Fredericton to Westmorland, by the head of the Grand Lake.

To Susan Peabody, widow of the late George Peabody, who came to his death in consequence

consequence of exertions in transporting Her Majesty's Troops to Quebec, the sum of £25 to relieve her in her present distressed situation.

*Resolved*, That the the sum of £280 be granted to His Excellency the Lieutenant Governor, to be appropriated towards the support and relief of the following persons who received like support at the last annual Session of the Legislature, to be distributed and apportioned as follows; Mary Banks, £20; Angus M'Fee, £10; Hezekiah Lyons, £10; John Underwood, £10; James Flint, £10; Joseph Madgett, £10; Isaac Adams, £10; Enoch Groom, £10; Dugald Clarke, £10; Patrick Van, £10; William Henley, £10; Donald M'Donald, £10; David Bruce, £10; Gershom Bonnell, £10; Thomas Ferguson, £10; Michael Dennison, £10; Holden Turner, £10; John Baldwin, £10; William M'Cardy, £10; Ruth Baird, £10; John Dunlap, £10; Cornelius Ackerman, £10; William M'Pherson, £10; Alexander M'Kenzie, £10; James Ross, £10; John Kennedy, £10; George Sinnett, £10.

*Resolved*, That the sum of £400 be granted to His Excellency the Lieutenant Governor or Commander in Chief for the time being, to enable His Excellency to assist the Committee of Management of the New Brunswick Baptist Education Society in discharging the debt incurred by them in the purchase of Land and erection of a Seminary of Education in Fredericton,

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £399 17 6, to pay John Simpson, Queen's Printer, balance due him for printing the Laws, Journals, &c., of two Sessions of the Legislature, agreeably to the report of the Committee of Public and Private Accounts.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £217 19 6, to be paid to John Simpson, Queen's Printer, for sundry publications in the Royal Gazette, agreeably to the report of the Committee of Public and Private Accounts.

That the following Resolutions were then moved in the Committee:

That there be granted to Jeremiah Johnston, a meritorious old Soldier in the Revolutionary War, the sum of £ to assist him in his present distressed circumstances.

To which an amendment was moved to add the following—

*Resolved*, That this Resolution cannot be complied with, in consequence of this House having come to the determination of not making grants to any old Soldiers, but such as received grants the last year.

And upon the question for adopting the amendment, the Committee divided, and it was carried in the affirmative.

Whereas it is believed that the deep sea Herring Fishery might be pursued on the north eastern coast of this Province, in such a manner as would eventually become a source of Provincial prosperity: And whereas inasmuch as the same is a new branch of trade, and requires a very considerable outlay in the first instance, it is expedient that some encouragement and protection should be extended to such person as may hazard the experiment: And whereas the Petition of Duncan Hay and Charles Coughlan, of Carraquet in the County of Gloucester, on the subject of deep sea Herring Fisheries, has been recommended by a Select Committee to the favorable consideration of the House; therefore

*Resolved*, That there be granted to His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £ to be paid over to the said Duncan Hay and Charles Coughlan, when it shall be certified to His Excellency that the said Duncan Hay and Charles Coughlan have made it appear, to the satisfaction of Her Majesty's Justices of the Peace of the said County in General Sessions, that the said Duncan Hay and Charles Coughlan have expended at least the sum of £ in the purchase of necessary and proper gears and utensils for the carrying on of the said fishery, and shall have used and employed the same in a Vessel or Vessels, in all respects properly manned and fitted out for the said Fishery, and shall have given the same a fair and reasonable trial.

Upon the question for sustaining this Resolution, the Committee divided as follows:—

YEAS.

## YEAS.

Mr. Owen,  
Brown,  
Street,  
End,  
Wilson,  
Partelow,  
Stewart,  
Allen.

## NAYS.

The Hon. Mr. Speaker,  
Mr. Gilbert,  
Jordan,  
H. T. Partelow,  
Woodward,  
Barlow,  
Fresze,  
M'Leod,  
J. M. Wilmot,  
Hill,  
Wyer,  
Connell.

And it was thereupon decided in the negative.

*Resolved*, That there be granted to His Excellency the Lieutenant Governor, the sum of £ to be applied towards procuring Seed for the different Indian Tribes in this Province the ensuing Spring.

And upon the question for sustaining this Resolution, the Committee divided, and it was decided in the negative.

And the Chairman further reported, that he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until Monday morning next at 10 o'clock.

### Monday, 5th March, 1838.

#### Prayers.

The amendments made by the Legislative Council to the Bill to provide for the assessment of County and Parish Rates, and which were agreed to in Committee of the whole House on Friday last, were severally read a third time.

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Brown return the Bill with the amendments to the Council, and acquaint them therewith.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House :—

A communication from the Collector and Controller of the Customs at the Port of Saint John, dated 28th February last, together with a Petition from Henry E. Dibblee, Esquire, Sub-Collector at Woodstock, praying some adequate and permanent allowance may be secured to him for his services in that capacity.

And he also laid before the House—

An account of Jacob Allan, Esquire, for services in assisting George Anderson and Benjamin L. Peters, Esquires, in examining a contemplated alteration on the Great Road between Saint John and Saint Andrews, near Musquash, accompanied by a letter from Mr. Peters, one of the Commissioners, on the subject.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having gone into further consideration of the business referred to them, had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow :—

*Resolved*, That there be granted

To John Simpson, Queen's Printer, the sum of £600 towards printing the revised edition of the Laws.

To the Clerk of the House of Assembly, the sum of £225 for compiling and preparing



preparing an Index to the Journals of the House of Assembly, from the year 1797 to the year 1808, both inclusive.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £40, to be applied in removing a large Rock which has recently fallen into the Falls at the entrance of the River Saint John, and which materially obstructs the navigation.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £135 12 9, to be paid to George Hayward, amount advanced by him for expenses of Commissioners appointed by His Excellency for exploring three lines of Road.

To James Whitney, of Saint John, the sum of £100 for having ascertained at great expense the practicability of steam navigation between Fredericton and Woodstock.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £600 to be applied in completing the Dredging Machine for removing obstructions in the Jemseg and other parts of the River Saint John.

To the Speaker of the House of Assembly, the sum of £150 for the present Session, and to each and every Member of the House of Assembly for defraying the expenses of attendance in General Assembly the present Session, the sum of 20s. *per diem*; provided that no greater amount than £50 be drawn by any one Member for the expenses of such attendance; also to each and every Member for travelling charges the sum of 20s. *per diem*, allowing twenty miles for each and every day's travel, to be certified by the Speaker, agreeably to a Law of this Province.

To John Wilkinson, Commissioner appointed to explore a line of Road from Woodstock to Oak Bay, the sum of £110 9 10, being the balance over expended by him, as reported by the Committee of Public and Private Accounts.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £652 10, to pay such Adjutant and Sergeant Majors of Her Majesty's Militia Forces, as shall appear to have performed their duty respectively, agreeably to a Law of the Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £200, to enable the Commissioners for Indian affairs to afford relief to the indigent and distressed Indians in this Province.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £277 5, to be paid to Henry Chubb for sundry printing, agreeably to the report of the Committee of Public and Private Accounts.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £ in aid of individual subscription, to erect an Aboideau over the Au Lac River in the County of Westmorland.

To this Resolution the following was moved as an amendment:—

“Resolved, That it would be inexpedient to make a grant towards the projected Aboideau over the Au Lac River, as prayed for in the Petition now under consideration, without further information.”

And upon the question, it was carried in the affirmative.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £ for improving the navigation of the River Saint John, by cutting a Canal through Grimross Neck, to connect the River Saint John with Gagetown Creek, in such place as Commissioners to be appointed by His Excellency the Lieutenant Governor (upon actual survey) shall advise; provided that no warrant for such sum shall issue until the consent of the proprietors of the Lands through which the said Canal may pass, be first had and obtained.

To this Resolution it was moved as an amendment, to add the following:—

“Resolved, That it is inexpedient to make this grant the present Session, the Committee having previously resolved not to make any grant at present comprehended in the Report of the Navigation Committee.”

And upon the question, it was also carried in the affirmative.

To Mary Ann Smith, for upwards of forty years a Schoolmistress in Saint John, the sum of £20, in consideration of her services in that capacity.

Resolved, That a sum not exceeding £100 be granted to His Excellency the Lieutenant Governor, to be applied towards reimbursing such necessary expenses as were incurred in performing Garrison duty in the absence of the Queen's Troops from the Province.

And

And the Chairman further reported, that he was directed to ask for leave to sit again.

*Ordered*, That the Report be accepted, the Resolutions engrossed, and leave to sit again granted.

The House adjourned until to-morrow morning at 10 o'clock.

## Tuesday, 6th March, 1838.

### *Prayers.*

On motion of Mr. Connell,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that a competent person may be appointed to select the most proper site on which to erect a Bridge over the Arestook River in the County of Carleton, and report the same to this House; and further, to report the probable expense of such an erection.

*Ordered*, That Mr. Connell, Mr. Beardsley and Mr. Taylor, be a Committee to wait upon His Excellency with the Address.

Read as engrossed,

The Resolutions of Appropriation, made and passed the 1st, 3d and 5th instant.

Mr. Street then moved, that the following Resolution, included in those of the 3d of the month, be expunged therefrom:—

*“Resolved*, That the sum of £400 be granted to His Excellency the Lieutenant Governor or Commander in Chief for the time being, to enable His Excellency to assist the Committee of Management of the New Brunswick Baptist Education Society in discharging the debt incurred by them in the purchase of land and erection of a Seminary of Education in Fredericton.”

And upon the question the House divided as follows:—

#### YEAS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. Owen,  
Wyer,  
Barlow,  
Partelow,  
Street,  
Weldon,  
End.

#### NAYS.

Mr. Allen,  
Palmer,  
Hanington,  
J. M. Wilmot,  
Taylor,  
Jordan,  
Connell,  
Beardsley,  
L. A. Wilmot,  
Fisher,  
M'Leod,  
Gilbert,  
H. T. Partelow,  
Hayward,  
Brown,  
Woodward.

And so it was decided in the negative.

*Ordered*, That Mr. Wyer take the said Resolution to the Council, and desire their concurrence thereto.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to the following Bills:—

A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province:

A Bill imposing duties upon certain articles imported into this Province: and

A Bill further to amend the Acts relating to the collection of the Revenue of the Province,

Without any amendment.

And that the Council had concurred in the Resolutions of Appropriation, dated the 28th day of February, with the following exceptions:—

The

The sum of £25 for the Road leading to the Howard Settlement:

The sum of £7 10 for the Road from the Howard Settlement to Dow's Mills:

The sum of £15 to repair the Bridge on the Shugomock Stream: and

The sum of £15 towards erecting a Bridge over a Creek in the Parish of Dumfries, between Mr. Palmer's and Major Davidson's,

Which were not concurred in.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House:—

A copy of the Despatch from the Right Honorable Lord Glenelg, on the subject of completing the survey of the tract of Land purchased by the New Brunswick and Nova Scotia Land Company, pursuant to the Address of the House of the 1st instant, and which is as follows:—

*"Downing Street, 22d December, 1835.*

"SIR,

"With reference to my Despatch of the 2d instant, I have the honor herewith to transmit for your information and guidance, copies of a further correspondence between this Department and the Deputy Governor of the New Brunswick Land Company, in regard to the delay which has taken place in conveying to them the Land which they have contracted to purchase from His Majesty's Government. From Sir George Grey's letter, of the 21st instant, you will perceive the view which I have taken of the obligation assumed by His Majesty's Government, respecting the survey of the Company's Land; as this decision is opposed to the opinion of the Surveyor General of the Province, I proceed to explain to you the consideration by which my judgment has been determined.

"By the 6th Article of the agreement of the 20th November, 1833, the Company contracted to pay to His Majesty's Government the sum of £1000, in consideration of a complete survey of their Land. In the two following Articles, the extreme limits of the tract to be sold to them are described, and a reservation is made of all Lands within those limits which had been already granted, or for which tickets of location had issued; Mr. Baillie states in his letter to you, of the 10th April last, that at the time of the negotiation between His Majesty's Government and the Company, he explained both to Lord Stanley and Mr. Bainbridge, that the Government Officers in the Province could only undertake to define the external boundaries, meaning, as I understand, by that expression, the outer limits of the Company's tract, as contra distinguished from the boundaries of the reserved locations. As this explanation, however, does not appear to have been ever put upon record, I do not feel myself entitled to take it into account in considering the present question, nor to assume that it was distinctly understood and assented to by the parties to whom it was addressed. In the absence, therefore, of any special and recorded stipulation to the contrary, I am of opinion that the question can only be decided by a reference to the general principles which govern the transfer of property in other cases.

"In every transfer of landed property, the vendor is bound to furnish to the purchaser an exact description of the Land sold by him; and in the event of its being subsequently proved that he had sold Land to which he had not a good title, he is subject to the liability to compensate the purchaser. His Majesty's Government stands in this position towards the New Brunswick Land Company; and having engaged to sell to them a certain tract of Land, is bound to put them in secure possession of their purchase. If the extreme limits of the tract were above defined, without any demarcation of the internal reservations, the Company would be continually exposed either to the risk of trespassing upon the property of others, or of having their own property encroached upon. They would, moreover, be unable to confer a secure title upon those who should purchase from them, and thus the principal object of their negotiation with His Majesty's Government would be defeated.

"I am aware that it has been stated by Mr. Baillie, that the execution of a complete survey of the Company's Land will be attended with great difficulty and with no slight expense. I fear, however, that the time for entertaining such considerations is gone by. They would have been of great importance at the time of the negotiation, but now, after the lapse of two years, it is impossible for me to admit them as grounds for delaying what appears to be a just claim on the part of the Company. If the difficulties which Mr. Baillie anticipates are attributable to the defective manner in which grants have heretofore been defined, there is the greater reason for the anxiety of the Company to obtain a sufficient survey. You will, therefore, direct Mr. Baillie to lose no time in proceeding to execute a survey of all the grants within the tract sold to the New Brunswick Company, which, under the 8th Article of the agreement with them, are to be specially reserved; and you will consider yourself at liberty to draw upon the Agent General, Mr. George Baillie, for the expenses of this Survey, to be defrayed out of the sums in his hands on account of the payments of the Company.

"The exterior survey is, I understand, already complete.—I trust, therefore, that it will be possible to put the Company in possession of their Land early in the coming year.

"I have the honor to be, Sir,

"Your most obedient servant,

"GLENELG."

Major General Sir ARCHIBALD CAMPBELL, Bart. G. C. B. &c. &c. &c.

Mr. End, from the Select Committee appointed on the 5th February last, to take under consideration the Message received from His Excellency, on the 23d January, upon the subject of Education, submitted their Report, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The

"The Select Committee, to whom was referred the Message of His Excellency the Lieutenant Governor relative to Schools and School Books, report, that while they admit the necessity of procuring teachers for the elementary Schools in this Province, whose habits and attainments might entitle them to a trust of such paramount importance to the present as well as the rising generation, they have not as yet been able to obtain such information on the subject as would justify them in recommending a grant to provide for a measure which may be more expensive than is now anticipated. Uniformity in public instruction should, if possible, be generally established, and the introduction of Class Books for the use of the elementary Schools will be a great means of accomplishing that desirable object. The Committee, therefore, recommend that a sum of money be placed at the disposal of His Excellency, to be appropriated for that purpose in such manner as his experience may suggest.

"WILLIAM END, *Chairman.*

"Committee Room, 6th March, 1838."

*Ordered*, That the Report be accepted; and

On motion of Mr. End; further

*Ordered*, That the said Report be referred to the Committee of Supply.

On motion of Mr. End,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to appoint a Commissioner or Commissioners to explore and lay out a line of Road between the Settlement of Little Rock and Eel River Bridge, in the County of Gloucester, being part of the line of Great Road from Bathurst towards the Kempt Road, and that the House will make provision for the same.

*Ordered*, That Mr. End, Mr. Stewart and Mr. Street, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. End,

*Resolved*, That a Committee be appointed to examine and report upon the Contingent Account of the present Session.

*Ordered*, That the Honorable Mr. Johnston, Mr. End, Mr. Weldon, Mr. Partelow and Mr. Woodward, do compose the Committee.

The Honorable Mr. Johnston, from the Committee appointed on the 8th February in conformity with a Resolution adopted by the Committee of the whole House upon the Report from the Select Committee on the lumbering interests of the Province, with directions to prepare a Bill or Bills agreeably to the recommendations of the said Select Committee, reported two Bills, under the titles of "A Bill to authorise the collection of duties upon Timber and Lumber cut from off Crown Lands upon exportation thereof," and "A Bill to throw the *onus probandi* upon the person or persons claiming property where Logs, Timber, Lumber or other wood shall be seized on behalf of the Crown."

The Bills as reported by the Committee being then handed in, were severally read a first and second times.

On motion of Mr. Hill,

Whereas an important line of Road between Woodstock and the head of Oak Bay, in the County of Charlotte, has recently been explored by Mr. John Wilkinson, the opening of which would essentially contribute to the settlement of the Country, and its agricultural improvement between the Saint John and Saint Croix: And whereas Legislative encouragement ought to be given to accomplish an object of so much importance; therefore

*Resolved*, That in the opinion of this House, provision should be made for the opening of the said line of Road, and payment made therefor in wilderness lands in the vicinity of the same; and further

*Resolved*, That His Excellency the Lieutenant Governor, or Commander in Chief for the time being, be empowered to take the necessary measures to carry into effect the above object, by entering into contracts with such responsible persons as may be disposed to undertake the construction of the said Road in whole or in parts, and receive pay therefor in wild lands, on the following terms, namely: the Road to be made twenty feet wide from gutter to gutter, the trees, roots, and also stones below the frost wherever practicable, to be removed, and the Road turnpiked, with an ample curvation and an even surface, so as to allow no water to stand thereon; proper covered drains

to be made across the Road where required, and sufficient water courses cut on either side to prevent water from standing in the gutters to the injury of the Road; permanent causeys to be made wherever required, and substantial bridges, to be erected over all the brooks and streams.

The sum of £125 currency, a mile, to be given for the construction of the Road, including all the Bridges except the Bridge across Eel River, payable in farming lands, at two shillings per acre, on or in the neighbourhood of the Road, in blocks of not less than one thousand acres each; and if the lands front on the Road, the blocks to be not less than two miles in depth; not less than two miles of Road to be completed annually; and the whole to be finished within five years. On the completion of any contract on the said Road, His Excellency the Lieutenant Governor or Commander in Chief for the time being, to be authorised to cause a grant or grants of lands as above set forth, to issue for the payment of the same; in the mean time the Contractors to be allowed to make their selections of blocks in preference to any other persons.

And upon the question for sustaining the same, the House divided—

YEAS, 8.

NAYS, 10.

Whereupon it was decided in the negative.

On motion of Mr. Weldon,

The House went into Committee of the whole, in further consideration of Supplies to be granted for the Public Service.

Mr. Hayward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having gone into consideration of the business referred to them, they had passed a number of Resolutions, which he read, and handed the same in at the Clerk's Table, where they were again read, and are as follow:—

*Resolved*, That there be granted

To John Gregory, Clerk assistant to the Legislative Council, the sum of £10 for extra copies of the Province Laws for the use of Magistrates in 1838; and the further sum of £5 for the same during the past short Session.

To the Board of Health of the City and County of Saint John, the sum of £250 to enable them to discharge the balance due on their expenditure of last year, occasioned by the great prevalence of Small Pox during that period.

To H. G. Clopper, the sum of £732 12 6, being amount advanced by him, including premium, interest &c. to the late Delegation to England, on their departure from Fredericton in February 1837.

To the President, Directors and Company of the Central Bank, the sum of £200, being amount advanced by them under the authority of an Address from the House of the 19th July last, towards locating upon wilderness Land in this Province the Emigrants recently arrived in this Country, from the North of England.

To the President, Directors and Company of the Central Bank, the sum of £520 9 to reimburse them for advances made for the contingent expenses of the last Session of the Legislature; and the further sum of £35 10 11 for interest which has accrued on this and other advances provided for.

To His Excellency the Lieutenant Governor, the sum of £200 for the purpose of procuring from England suitable Books for elementary instruction in the Parish Schools in this Province.

To Patrick Maclaughlan, the sum of £20 to reimburse him in the amount of a penalty for the non-performance of a certain contract with Benjamin L. Peters, Esquire, Supervisor, it appearing that circumstances of a very peculiar nature and beyond his control prevented the said Maclaughlan from the performance of the said contract, and the said B. L. Peters having credited the Province with the above sum.

To His Excellency the Lieutenant Governor, the sum of £100 to enable His Excellency to pay a Sub-Collector and Deputy Treasurer, at Woodstock in the County of Carleton; the duties of both Offices to be performed by one person; this sum to be in addition to the existing allowance to Deputy Treasurers by the Law of the Province.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £60 toward building Ferry Slips or Wharves on each side of the north west Branch of the Miramichi, where the Great Road between Fredericton and Newcastle crosses that River.

To

To C. H. Jouett, Deputy Treasurer, West Isles, the sum of £100 as a compensation for his services in that capacity for the year 1837; the emolument arising from the said office having materially decreased in consequence of the great falling off of the Revenue in that quarter.

To Jacob Allen, Esquire, one of the Commissioners appointed to explore a site for a Bridge and Road at Musquash, the sum of £6 for that service.

To the Commissioners for auditing the accounts of the Casual Revenue, the sum of £200 towards defraying expenses actually incurred by them in proceeding with the investigation.

To the Master in Chancery, appointed to bring Messages from the Legislative Council, the sum of £10, in addition to the former grant of this Session.

To John Simpson, Esquire, Queen's Printer, the sum of £140, towards the expenses of printing the Journals, &c. of the Legislative Council.

*Resolved*, That the sum of £62 10, be granted to His Excellency the Lieutenant Governor, to be expended on portions of the Bye Roads in the County of York, as follow:—

The sum of £15 for the Road from the Tay Creek Road to Larkin's, in the Parish of Douglas; and

The sum of £47 10 towards erecting a Bridge at David Jouett's Mills, in said Parish.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, the sum of £50 towards improving a public Boat Landing at Ketchum's in Fredericton, in aid of individual subscription.

To Henry Dibblee, the sum of £11 0 9, being 10 per cent. on amount collected by him as Sub-Collector at Woodstock, for the year 1837.

To His Excellency the Lieutenant Governor or Commander in Chief for the time being, a sum not exceeding £140, to enable His Excellency to make the usual provision for such Parish Schools in the large and populous Parish of Portland, as the Trustees for Schools in that Parish may deem necessary to establish, agreeably to the intention of the Legislature in passing the Acts relating to the Parish Schools; the above grant being rendered necessary by reason of the great extent of the Parish.

To John C. Vail, Xenophon Cogle, and John Lockhart, the sum of £ to compensate them in full for running a Stage between Saint John and the Nova-Scotia Line, to this time.

Upon the question for filling up the blank with the sum of £100, the Committee divided as follows:—

## YEAS.

The Hon. Mr. Speaker,  
Mr. Brown,  
Hill,  
Fisher,  
Gilbert,  
L. A. Wilmot,  
Freeze,  
Beardsley,  
Connell,  
Woodward,  
Barlow,  
Stewart,  
Owen.

## NAYS.

The Hon. Mr. Johnston,  
The Hon. Mr. Crane,  
Mr. End,  
Allen,  
Partelow,  
Hanington,  
Weldon,  
J. M. Wilmot,  
Wilson,  
Wyer,  
M'Leod,  
Taylor.

And so it was decided in the affirmative.

To the Committee of Correspondence, the sum of £10 for expense of Postages.

To His Excellency the Lieutenant Governor, the sum of £750 to build a Bridge across the Digdequash River in the County of Charlotte, on the line of Road lately laid out and made under the supervision of George Anderson, Esquire, payable in 1839, and to be considered in part of next year's grant.

To Charity Williams, the sum of £10, in consideration of her long and faithful services as a Female Teacher of youth, in the Parish of Fredericton.

To James Bradley and others, the sum of £50, for running a Stage three times a week between

between Saint John and Fredericton, and as an encouragement for them to keep up so regular and important communication, as prayed for in their Petition.

To His Excellency the Lieutenant Governor or Commander in Chief, the sum of £50, to encourage a public Seminary in Saint John for diffusing instruction in the rudiments of Mechanical Philosophy, Chemistry, &c. as prayed for in the Petition of Robert Foulis.

To the Honorable William Crane and L. A. Wilmot, Esquire, the sum of £ to remunerate those gentlemen for their services and loss of time on the late Delegation to England, on the subject of the surrender of the Casual and Territorial Revenues to the Legislature of this Province, over and above all their expenses; £ sterling of which sum to be deducted in return for the sum now due the Province from the said L. A. Wilmot, for money remaining in his hands over and above his actual expenses.

The question being taken for sustaining this Resolution, the Committee divided as follows:—

YEAS.  
The Hon. Mr. Johnston,  
Mr. End,  
M'Leod,  
Partelow,  
Street,  
Weldon,  
Palmer,  
Hanington,  
Allen,  
Jordan.

NAYS.  
Mr. Barlow,  
H. T. Partelow,  
Stewart,  
Wilson,  
Woodward,  
Taylor,  
Fisher,  
Gilbert,  
Brown,  
Connell.

And the division being equal, the Chairman decided in the affirmative.

And the first blank filled up with the sum of £830, and the other with the sum of £260.

To the Honorable William Crane, one of the late Deputation, such sum as will procure Exchange on London for £230 sterling, being a balance of expenses incurred by him in the late Deputation to England.

To the Clerk of the House, the sum of £ for the Contingent Expenses of the present Session.

And the Chairman further reported, that the Committee having finished the business under consideration, it was

*Resolved*, That the Committee do now rise."

*Ordered*, That the Report be accepted, and the Resolutions engrossed.

A Message from the Legislative Council,

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels within the limits of this Province,"

With amendments, to which they desire the concurrence of the Assembly.

And that the Council had also agreed to

The Resolutions of appropriation, dated the 1st and 3d March instant, with the exception of the following.

"To His Excellency the Lieutenant Governor, the sum of £400, to enable His Excellency to assist the Committee of Management of the New Brunswick Baptist Education Society in discharging the debt incurred by them, in the purchase of Land and erection of a Seminary of Education in Fredericton:" which was not concurred in.

Mr. Hanington, a Member for the County of Westmorland, applied for leave of absence.

Which was granted.

On motion of Mr. Barlow,

*Ordered*, That the Clerk be authorized to deliver from the files of the House, to the Commissioners for superintending the building of the Dredging Machine, for the removal of obstructions in the River Saint John, the several plans of the same which have been laid before the House.

The House adjourned until to-morrow morning at 10 o'clock.

WEDNESDAY,

**Wednesday, 7th March, 1838.***Prayers.*

Mr. Palmer, a Member for the County of Westmorland, and Mr. Freeze, a Member for King's County, severally applied for leave of absence.

Which was granted.

The House proceeded to take into consideration the amendments made by the Council to

The Bill to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels, within the limits of this Province."

The amendments being severally read, are as follow:—

At A. in Section I. insert the words "of such Owner, Consignee or Person, as aforesaid."

At B. in Section II. expunge the word "the," and insert the word "such."

At C. insert the words "or Agent, and to the use of such Owner or Owners."

At D. insert the following "and the person who may have so placed or landed, or cause to be placed or landed, such ballast or rubbish, may be held to bail in any such Action, by order of a Judge of the Court in which the Action may be brought, upon the facts being made sufficiently to appear by affidavit."

The question being then taken thereon,

*Resolved*, That the House do concur therein.

*Ordered*, That Mr. Woodward return the Bill with the amendments to the Council, and acquaint them therewith.

On motion of Mr. Street,

*Resolved*, That a Select Committee be appointed to prepare a Bill to regulate the practice, costs and proceeding in the Court of Chancery in this Province, and to report the same to the House at the next Session of the Legislature.

*Ordered*, That Mr. Street, the Honorable Mr. Johnston and Mr. Fisher, do compose the Committee.

On motion of Mr. Brown,

Whereas, from the Report of the Select Committee of this House, on the subject of the Fisheries of this Province, it appears that the Fishing Grounds in the Bay of Fundy and Gulf of Saint Lawrence are frequented by American Fishermen at all seasons of the year, who prosecute the Fisheries with great spirit and zeal, and set our Laws at defiance with perfect impunity; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency would be pleased to bring these aggressions under the notice of Her Majesty's Government, in order that such measures as may be deemed most expedient may be adopted to prevent the continuation of the same.

*Ordered*, That Mr. Brown, Mr. Owen and Mr. Gilbert, be a Committee to wait upon His Excellency with the Address.

The Honorable Mr. Crane, from the Select Committee to whom was referred the Message from His Excellency the Lieutenant Governor relative to the Royal Road, together with the Plan and Report of the Exploration, and which was appointed under a Resolution passed on the 19th January last, submitted their Report, which he read, and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee appointed to take into consideration the state and condition of the Royal Road, have attended to that duty, and beg to report, that from the verbal and documentary testimony which they have obtained, they find that this line of Road extending from Pickard's Mills to the Great Falls is about ninety four miles in length, and that the whole distance (with the exception of five miles near the River Tobique, which five miles have been contracted for,) has been opened four rods wide, and the trees have been taken out by the roots, and completely cleared off from a space twenty six feet wide in the centre thereof; and that a well finished Road, twenty six feet wide, extends along fifteen miles of this distance, commencing at Pickard's Mills aforesaid.



"The tract of Country through which this line passes is represented as being generally very favorable for Agricultural purposes, and the distance from Fredericton to the Grand Falls, on the River Saint John, is thereby shortened about thirty five miles.

"In addition to its importance, as an inducement for settling that part of the country, it would, if finished, form a most important part of a line from Nova-Scotia to Canada. The Committee are therefore of opinion, that it is expedient as soon as may be, to make the necessary preparations for its completion ; and they respectfully recommend, in the first place, before any more money is expended, that the whole line should be submitted to the inspection of some judicious and competent person or persons hitherto unconnected with this Road, in order that objectionable hills, if any, may be pointed out and avoided, and the best sites for Bridges selected; that thereby the great waste of money which has hitherto unfortunately occurred from the opening of Roads in improper places, may in this case be prevented.

"Respectfully submitted.

"W. CRANE,  
JAMES BROWN, JUN.  
WILLIAM M'LEOD,  
HENRY T. PARTELOW.

"Committee Room, 6th March, 1838."

*Ordered*, That the Report be accepted.

On motion of Mr. Fisher,

Whereas, it is desirable to ascertain the practicability and probable expense of improving the navigation of the River Saint John, in order to its being navigated by Steam ; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to have the said River Saint John, above Fredericton, scientifically and practically explored, and the results of such exploration laid before the House at the next Session of the General Assembly ; provided that the expense of such survey shall not exceed the sum of two hundred and fifty pounds.

*Ordered*, That Mr. Fisher, Mr. Taylor and Mr. Beardsley, be a Committee to wait upon His Excellency with the Address.

Mr. Woodward, by leave, presented a Petition from Richard M'Gee, and 44 others, complaining of bribery and corruption, on the part of William FitzWilliam Owen, Esquire, at the late Election for the County of Charlotte, and praying that his seat may be declared vacated, and a new Writ issued ; which he read.

*Ordered*, That the said Petition be received, and lie on the Table.

On motion of Mr. Connell,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint one or more competent Commissioners to explore a line of Road in the County of Carleton, leading from the Jacksontown Road through the Williamstown, Presqu Isle and Greenfield Settlements, to the River Saint John, near the River de Chute ; and further

*Resolved*, That the expense of the said exploration be taken out of the Bye Road money at the next Session of the Legislature, provided the expense do not exceed twenty five pounds.

*Ordered*, That Mr. Connell, Mr. Beardsley and Mr. Taylor, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Wyer,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to direct a line of Road to be explored and laid out from the Red Rock Settlement, on the River Magaguadavic, to the Nerepis Road in Queen's County, and that this House will provide for the same at the next Session of the General Assembly.

*Ordered*, That Mr. Wyer, Mr. Brown and Mr. Gilbert, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Fisher,

That the House do go into Committee of the whole, on the Report from the Select Committee

Committee on the Petition from the President, Directors and Company of the Tobique Mill Company, which was submitted to the House on the 19th February last.

Upon the question the House divided, and it was decided in the negative.

On motion of Mr. Weldon,

Whereas it appears from the returns of five years Licences and Mill Reserves, that various persons to whom licences have issued have not given the necessary bonds, and also that large sums for instalments are due on the said licences for Timber and Logs; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that the Licences in all cases where bonds have not been given, and also where the conditions of the bonds are not complied with, be cancelled; and that measures be taken to enforce payment of all arrearages due for Timber and Logs cut on said Licences and Reserves.

*Ordered*, That Mr. Weldon, Mr. Partelow and Mr. Woodward, be a Committee to wait upon His Excellency with the Address.

Mr. End, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the 3d instant, upon the subject of the Indian Reserves in the County of Gloucester, reported, that they had attended thereto, and that His Excellency was pleased to say that the wishes of the House should be complied with.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to throw the *onus probandi* upon the person or persons claiming property where Logs, Timber, Lumber or other Wood shall be seized on behalf of the Crown.

Mr. Brown in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill referred to them, under their consideration, it was moved

“That the further consideration of the said Bill be postponed until the next Session of the General Assembly.”

And upon the question the Committee divided, when it was carried in the affirmative.

*Ordered*, That the Report be accepted.

Read as engrossed,

The Resolutions of Appropriation, made and passed the 6th instant.

*Ordered*, That Mr. Wyer take the said Resolutions to the Council, and desire their concurrence thereto.

On motion of the Honorable Mr. Johnston,

The House went into Committee of the whole, on a Bill to authorise the collection of duties upon Timber and Lumber cut from off Crown Lands upon exportation.

Mr. Partelow in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill under their consideration, it was moved:—

“*Resolved*, as the opinion of this Committee, that the further consideration of this Bill should be postponed to the next Session of the General Assembly.”

And upon the question the Committee divided, when it was carried in the affirmative.

*Ordered*, That the Report be accepted; and

On motion of Mr. Weldon; further

*Ordered*, That two hundred copies of the said Bill be printed and distributed under the direction of the Clerk of this House.

Mr. Street moved for leave to bring in a Bill, to establish an export duty upon Timber, Lumber and other Wood exported from this Province, in lieu of the duty imposed upon Timber cut upon Crown Lands.

Leave granted.

The said Bill being brought in, was read a first time.

Mr. Street, then moved, that the said Bill be now read a second time; whereupon

Mr. End moved as an amendment, “that the further consideration of the said Bill be postponed until the next Session of the General Assembly.” The

The question being taken upon the amendment, it was decided in the affirmative; and  
On motion of Mr. Street,

*Ordered*, That two hundred copies of the said Bill be printed, and distributed under the direction of the Clerk of this House.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill for the settlement of the Estate of the late Receiver General of the Province, Without any amendment.

And that the Council had also agreed to

The Resolutions of Appropriation, dated the 5th day of March instant, with the exception of the following grant:—

To James Whitney, of Saint John, the sum of £100 for having ascertained at great expense, the practicability of Steam navigation between Fredericton and Woodstock.

Which was not concurred in.

On motion of Mr. H. T. Partelow,

The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the Services therein mentioned.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again before them, made further progress therein, and he was directed to ask leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

Mr. Brown, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, upon the subject of aggressions made by Foreigners upon our Fishing Grounds, reported, that they had attended thereto, and that His Excellency was pleased to say, that he should have great pleasure in complying with the wishes of the House as set forth in their Address.

Mr. Wyer, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this day, respecting the exploration of a line of Road from the Red Rock Settlement, on the River Magaguadavic, to the Nerepis Road in Queen's County, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would attend to the wishes of the House.

Mr. Fisher, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, on the subject of an exploration and survey of the River Saint John, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would have great pleasure in complying with the prayer of the said Address.

Mr. End, from the Committee appointed to wait upon His Excellency with the Address of yesterday, respecting the exploration of a line of Road from Little Rock Settlement to Eel River in the County of Gloucester, reported, that they had attended thereto, and that His Excellency was pleased to say that the wishes of the House should be attended to.

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, relative to the five year Licenses and Mill Reserves, reported, that they had attended to that duty, and that His Excellency was pleased to say that he should endeavour to give effect to the wishes of the House.

The House adjourned until to-morrow morning at 10 o'clock.

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### Thursday, 8th March, 1838.

*Prayers.*

On motion of Mr. Gilbert,

Whereas a Resolution of the House, passed the 10th day of March 1835, that the Clerks of the Peace in the several Counties in this Province, do each furnish and lay before

before the House at the next Session of the Legislature, a correct statement, duly attested, setting forth the balance (if any) on hand on account of bounties for Grain raised on new Land, and also the names of such persons to whom any such bounties have been allowed, and who have not claimed the same: And whereas another Resolution, dated the 14th of March 1836, resolved, that all sums unclaimed for Grain Bounties which may remain in the hands of the several Clerks of the Peace in this Province on the 1st February next, be then paid over by them respectively to the Province Treasurer: And whereas the said Resolution has not been complied with; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to adopt such measures as will enforce compliance with the same.

*Ordered*, That Mr. Gilbert, Mr. McLeod and Mr. Woodward, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Hill,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint a Commissioner to explore and mark out a Road from the upper Bridge across the Magaguadavic River, near Brockway's, to the lower Bridge across the Saint Croix; and that this House will make provision for the same at the next Session of the General Assembly, out of the next year's Bye Road money for the County of Charlotte.

*Ordered*, That Mr. Hill, Mr. Owen and Mr. Brown, be a Committee to wait upon His Excellency with the Address.

On motion of the Honorable Mr. Johnston,

Whereas the Dredging Machine now in course of construction will be completed in the month of June next, and it is desirable that the same should be brought into operation with as little delay as possible: And whereas it is an object of primary importance to improve the navigation between the River Saint John and the Grand Lake by the removal of a Bar at the entrance of the Jemseg; therefore

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased, on receiving notice of the completion of the said Dredging Machine, to appoint one or more Commissioners to expend a sum not exceeding £300 towards the accomplishment of the above object, and that this House will make provision for the same at the next Session of the Legislature.

*Ordered*, That the Honorable Mr. Johnston, Mr. L. A. Wilmot and Mr. Barlow, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Weldon,

*Resolved*, That a Committee be appointed to wait upon His Excellency the Lieutenant Governor, with a copy of the Resolution of the Committee of the whole House upon the Report of the Select Committee on that part of the Despatch of the Right Honorable Lord Glenelg, of the 5th September 1836, relative to establishing an efficient Office of Audit within the Province.

*Ordered*, That Mr. Weldon, Mr. Barlow and Mr. Taylor, be the Committee for that purpose.

The Honorable Mr. Johnston, from the Committee appointed on the 8th February, to take under consideration the Report from the Select Committee on the Lumbering interests of the Province, submitted various statements connected with the subject, viz:—

Abstract of duties received on Timber and Lumber;

Abstract of the quantities cut; and

Abstract of what has been exported during the years 1835, 1836 and 1837.

[See Appendix, No. 3.]

*Ordered*, That the several documents lie on the Table; and

On motion of the Honorable Mr. Johnston,

*Ordered*, That two hundred copies thereof be printed under the direction of the Clerk of this House, and distributed at the same time with the two Bills connected with the subject, and which were ordered to be printed on the 7th instant.

On motion of Mr. Weldon,

Whereas from the returns from the Crown Land Office, laid before this House, shewing instalments due on Land sold or leased, it appears that large sums remain due from purchasers: And whereas punctuality in payment is desirable; therefore

*Resolved*, That in the opinion of this House, lists of persons who may be indebted for land should be printed in the Royal Gazette for the information of parties interested, with a view to their making payment of any arrearages.

Mr. L. A. Wilmot, from the Select Committee appointed on the 19th January last, to take under consideration the several Petitions praying an amendment in the College Charter, as also other documents connected with the Institution, submitted their Report, and having read the same, handed it in at the Clerk's Table, where it was again read.

[*See Report as to College, Appendix, No. 10.*]

*Ordered*, That the Report be accepted; and

On motion of Mr. Weldon; further

*Ordered*, That two hundred copies of the said Report be printed and distributed under the direction of the Clerk of this House.

On motion of Mr. Woodward,

Whereas there are several sums of money now at interest in this Province, and also in Great Britain, being part of the Crown and Territorial Revenues ceded to this Province in return for a Civil List: And whereas but a small interest is now received for the said money, and it being desirable that it should for the general interests be made more productive; therefore

*Resolved*, as the opinion of this House, That the investment in Bank Stock of all such monies as can be made available, would increase real Banking Capital, and greatly benefit the Agricultural, Mercantile and general interests of the Province; and further

*Resolved*, as the opinion of this House, That it would be more beneficial to invest all monies belonging to the Province in one institution, either now existing or to be made; and further

*Resolved*, That it would be inexpedient to appropriate or change the situation of the monies before alluded to till the next meeting of the Legislature.

To which Mr. Partelow moved the previous question, that the question upon the Resolution be now put.

And upon the question, it was decided in the negative.

The Honorable Mr. Crane, by command of His Excellency the Lieutenant Governor, laid before the House—

Various other accounts from the Collector and Controller at the Port of Saint John, viz:—

Account of Goods exported for the year ending 5th January 1838;

Account of existing Shipping on the Records on the 31st December 1837; and

Account of duties collected under Acts prior to 18 Geo. 3, C. 12, in the year ending 5th January last.

[*See Appendix, No. 15.*]

Accompanying the said accounts, are the following letters from the officers of that Department:—

*“Custom House, Saint John, 6th March, 1838.*

*“SIR,*

*“We have the honor to transmit herewith an account of the exports at this Port and its Out Bays for the year ending 5th January 1838, which has this moment been completed.*

*“We beg to observe, that the particular accounts of all Merchandize upon which duties are collected under Acts passed subsequent to 18 Geo. 3, C. 12, as required by the 2d Section of the Provincial Act 5 Wm. 4, C. 49, can be furnished within the time prescribed by the said Act, but it is not in our power to furnish the accounts of imports and exports, to be laid before the House of Assembly at an early period of its Session.*

*“We are desirous of being informed whether the accounts of imports and exports in the form furnished for the year ending 5th January 1832, (which are bound up with the Journals of the House of Assembly for that year) contain all the information that is sought for, or in what other form they may be required as none has been prescribed for our guidance.*

*“We have the honor to be, Sir,*

*“Your obedient and humble Servant.*

*“H. BOWYER SMITH, Collector.*

*G. H. SMITH, Act. Controller.”*

*“Custom*

*"Custom House, Saint John, 6th March, 1838.*

"SIR,

"Herewith we have the honor to forward the list of Vessels belonging to this Port, as also a list of Vessels belonging to the Out Ports of Miramichi on the 31st December last.

"We beg leave to state that this account requires time and great care to make it complete, as it is extremely difficult to obtain the particular information requisite respecting several of the Vessels which have been broken up, worn out, or lost during the year, which it is necessary to strike out of the list of previous years. We also inclose herewith an account of duties collected at this Port and its Out Bays during the year ending 5th January 1838, under Acts of Parliament passed prior to 18 Geo. 3, C. 12, which we were not fully aware was required by the House of Assembly as these duties are not under the control of the Colonial Legislature.

"We have the honor to be, Sir,

"Your obedient humble servants,

"H. BOWYER SMITH, *Collector*  
G. H. SMITH, *Act. Controller.*"

*The Honorable W. F. ODELL, &c. &c. &c.*

On motion of Mr. Brown,

The House went into consideration of the Report from George Hayward, James Brown, and Adam Sharp, Esquires, Commissioners for an exploration on that part of the Canada Great Road lying between Camber's Creek and Burgoyne's Ferry, and which was laid before the House, by command of His Excellency, on the 3d instant.

The Report being read at the Clerk's Table, the House adopted the following Resolutions:—

*Resolved*, That the Supervisor of the Great Road from Fredericton to the Canada line be authorised to open the new line laid out from Camber's Creek until it intersects the old Road towards Sutherland's.

*Resolved*, That the said Supervisor be authorised to make the alterations recommended by the Commissioners from M'Keen's upwards.

*Resolved*, That the recommendations of the said Commissioners, so far as regards the improvement of Sutherland's Hill and the Bridge over Burpe's Creek, at Murray's, be carried into effect by the Supervisor.

The Honorable Mr. Johnston, by command of His Excellency the Lieutenant Governor, laid before the House—

An extract from a Letter from the Collector of the Customs at Saint John, dated 5th March, 1838, explanatory of the delay in furnishing the accounts, as follows:—

*"Extract of a Letter from the Collector at Saint John, dated*

*"March 5th 1838.*

"We beg leave to state that the account of all duties received at the Port and its Out Bays under Acts subsequent to 18 Geo. 3, C. 12, was transmitted from this office on the 26th ultimo, that the delay which arose in preparing the account originated from a desire on our part of compiling it in a shape that would contain the most full and desirable information, in lieu of the account in the form heretofore transmitted.

"With respect to the remainder of the accounts called for, we have the honor to state that the Clerks upon the establishment have been engaged in their preparation, that the accounts required to be furnished and transmitted to the Honorable the Commissioners of Customs as well as those called for by the House of Assembly, are very voluminous, and of an extremely laborious nature, and require time to prepare, as also the account of imports and exports required to be furnished annually, to be transmitted by Your Excellency to the Secretary of State, with respect to which we respectfully beg leave to refer to our communication addressed to the Provincial Secretary on the 13th of April last.

"We beg to assure Your Excellency that every anxiety has existed with us to furnish all accounts required with the utmost practicable despatch."

Mr. Miller, Master in Chancery, informed the House that the Council had concurred in the Resolutions of Appropriation, dated the 6th day of March, with the exception of the following grants, to wit:—

To the Honorable William Crane and L. A. Wilmot, Esquires, the sum of eight hundred and thirty pounds to remunerate those gentlemen for their services and loss of time on the late Deputations to England, on the subject of the surrender of the Casual and Territorial Revenues to the Legislature of this Province, over and above all their expenses; two hundred and sixty pounds sterling of which sum to be deducted in return for that sum now due the Province from the said L. A. Wilmot for money remaining in his hands, over and above his actual expenses.

To the Honorable William Crane, one of the late Deputation, such sum as will procure

procure Exchange on London for two hundred and thirty pounds sterling, being a balance of expenses incurred by him in the late Deputation to England.

Which were not concurred in.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of a Bill to provide for opening and repairing Roads and erecting Bridges throughout the Province.

Mr. M'Leod in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that having the Bill again under consideration, they had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

On motion of the Honorable Mr. Crane,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to appoint three competent persons to examine and explore a new line of Road, by which it is proposed that an alteration be made in that part of the Great Road leading from the Nova Scotia line to Saint John, which extends from the said line to the Parish of Dorchester in the County of Westmorland.

*Ordered*, That the Honorable Mr. Crane, Mr. Weldon and Mr. M'Leod, be a Committee to wait upon His Excellency with the Address.

On motion of Mr. Partelow,

The House went into Committee of the whole, in further consideration of a Bill to appropriate a part of the Public Revenue for the services therein mentioned.

Mr. Taylor in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported, that the Committee having the Bill again under their consideration, had agreed to the same.

*Ordered*, That the Report be accepted, and the Bill engrossed.

Mr. L. A. Wilmot, from the Select Committee to whom was referred the various documents relative to King's College, submitted a supplementary Report, made up upon the several accounts laid before the House, and having read the same, handed it in at the Clerk's Table, where it was again read.

[*See Appendix, No. 10.*]

*Ordered*, That the Report be accepted.

Mr. Connell, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with an Address of this House, on the subject of ascertaining a proper site for a Bridge over the Arestook River in the County of Carleton, reported, that they had attended to that duty, and that His Excellency was pleased to say, that he would have great pleasure in complying with the wishes of the House.

On motion of Mr. Hayward,

*Resolved*, That the alterations recommended by the Commissioners appointed to explore that part of the line of Great Road on the eastern side of the River, between the Nashwaak and the lower line of the County of York, be carried into effect by the Supervisor for that Road during the present year.

The Honorable Mr. Johnston, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, praying that His Excellency would be pleased to appoint one or more Commissioners to expend the sum of £300 in removing the Bar at the mouth of the Jemseg, when His Excellency shall be notified of the completion of the Dredging Machine now in the course of construction, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would have much pleasure in complying with the wishes of the House.

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Resolutions adopted by the Committee of the whole House upon the subject of the Report of the Select Committee relative to the Audit Office, reported, that they had attended to that duty, and His Excellency was pleased to receive the same.

Read

Read a third time as engrossed,

A Bill to provide for opening and repairing Roads, and erecting Bridges throughout the Province.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. End take the said Bill to the Council, and desire their concurrence thereto.

Mr. Weldon, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House upon the subject of appointing a Commissioner to examine a contemplated alteration of that part of the Great Road between Saint John and the Nova Scotia line, which lies between Dorchester and Nova Scotia, reported, that they had attended to that duty, and His Excellency was pleased to say the wishes of the House should be complied with.

On motion of Mr. Partelow,

Whereas the Bridge across the Musquash River, on the Great Road leading from Saint John to Saint Andrews, is in a dangerous and dilapidated state, and a new one is therefore absolutely required to be built with the least possible delay: And whereas in the erection of any new Bridge across the said River it would much commodore the great lumbering establishments in the vicinity, and particularly the Lancaster Mill Company, if a sufficient Draw were made in the same, to allow Vessels, Boats and Scows to pass through when required, in order that free access may be had to such establishments; therefore

*Resolved*, That the Supervisor to be appointed on the said Road the present year be authorized to erect such Bridge out of such monies voted for the improvement of the said Road the present Session as he will have to expend, provided the said Lancaster Mill Company should contribute a reasonable sum towards such expenditure, and bind themselves to defray any expenses which may accrue by reason of such Draw being in the said Bridge; and provided also, that no greater amount be expended by the said Supervisor than three hundred pounds out of the monies so granted.

Mr. Connell, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this House on the subject of an exploration of a Road from the Jacksontown Road to the River Saint John, through the Williamstown and other Settlements, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would have great pleasure in complying with the wishes of the House.

On motion of Mr. Allen,

Whereas the present state of the American Frontier of Upper and Lower Canada, may render it incumbent on the British Government to adopt hostile measures for the security of the Queen's Dominions and the preservation of the National Honor: And whereas this Province should come forward on this occasion with such unequivocal expressions of loyalty and zeal, as would do justice to the well known character and spirit of its inhabitants; therefore

*Resolved*, unanimously, That an humble Address be presented to His Excellency the Lieutenant Governor, setting forth that in the event of any necessity arising from a state of hostilities, His Excellency be authorised, by and with the advice and consent of the Executive Council, to draw from the Province Treasury a sum not exceeding ten thousand pounds, to meet any emergency which the public interests of this Province or the welfare of the British Colonies may appear to require; and that this House will make provision for the same; and further

*Resolved*, That the Legislative Council be requested to join in this Address.

*Ordered*, That Mr. Allen communicate the foregoing Resolution to the Council, and request them to join therein.

On motion of Mr. Allen,

The House went into Committee of the whole in further consideration of the Address from the *Montreal Constitutional Association*, presented to the House by Mr. Partelow on the 10th January last.

Mr. Woodward in the Chair of the Committee.

Mr. Speaker resumed the Chair.



The Chairman reported, that the Committee having gone into further consideration of the subject referred to them, had made further progress therein, and he was directed to ask for leave to sit again.

*Ordered*, That the Report be accepted, and leave granted.

A Message from the Legislative Council,

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Bill to provide for opening and repairing Roads, and erecting Bridges throughout this Province.

Mr. Gilbert, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of the House of this day, on the subject of the unclaimed bounties for Grain raised upon new land remaining in the hands of the Clerks of the Peace in the several Counties in this Province, praying that His Excellency would please to adopt such measures as will enforce the payment of the same, reported, that that they had attended to that duty, and that His Excellency was pleased to say he would have much pleasure in complying with the wishes of the House on the subject.

Mr. Hill, from the Committee appointed to wait upon His Excellency with an Address of this House of to day, relating to the exploration of a Road from the upper Bridge on the Magaguadavic to the lower Bridge on the Saint Croix, reported, that they had attended to that duty, and that His Excellency was pleased to say he should have much pleasure in carrying into effect the wishes of the House.

The House adjourned until to-morrow morning at 9 o'clock.

### Friday, 9th March, 1836.

#### *Prayers.*

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Address to His Excellency the Lieutenant Governor, authorising him to draw the sum of £10,000 from the Province Treasury in the event of any disturbances arising from the present state of affairs on the Canadian Frontier; and also that the Council had appointed the Honorable the Attorney General and the Honorable Mr. Lee a Committee on the part of that House, to join such Committee as may be appointed by the Assembly to present the same.

On motion of Mr. Partelow,

*Resolved*, That a Committee be appointed to join the Committee of the Legislative Council to wait upon His Excellency with the said Address.

*Ordered*, That Mr. Allen, Mr. Barlow, Mr. Partelow and Mr. L. A. Wilmot, do compose the Committee; and further

*Ordered*, That Mr. Allen acquaint the Council with the appointment.

On motion of Mr. Partelow,

*Resolved*, That the subject of the Address from the *Montreal Constitutional Association*, which was referred to the Committee of the whole House yesterday, and progress reported thereon, be now taken up in the House; whereupon Mr. Partelow submitted a series of Resolutions, and they being handed in, were read by the Clerk, and are as follow:—

1. *Resolved*, That this House is duly impressed with the forcible appeal of the Constitutional Association of the City of Montreal, in Lower Canada, on behalf of the loyal inhabitants of British and Irish origin, resident in that Province.

2. *Resolved*, That this House doth most sincerely sympathise with those loyal brethren, and doth unfeignedly regret the unfortunate position in which they have been placed by a revolutionary *French* faction, professedly bent on the dismemberment of that valuable and important Colony from the British Empire.

3. *Resolved*, That the accomplishment of such a daring and wicked design would not only be destructive of the rights and interests of the British population of that Province, but would also endanger that strong connexion so happily existing between the other American Colonies and the Mother Country, and, in the opinion of this House, would be

be regarded as a grievous calamity by every virtuous and enlightened citizen of the neighbouring Republic.

4. *Resolved*, That while this House doth fully admit that sufficient causes may have heretofore existed to have justified an appeal to the Home Government for an enlargement of the Constitutional powers of the Representatives of the People of that Province, yet it doth at the same time entertain the opinion, that the extravagant claims made by the Assembly, and so pertinaciously reiterated, were such as could never have been complied with without giving up to the French dominant party the absolute control of the Provincial Government, and thereby inevitably inducing an entire prostration of British interests and the abandonment of the Province by British inhabitants.

5. *Resolved*, That being deeply impressed with the relative importance and value of that Province as an integral portion of the British American Possessions, it is the opinion of this House, and one which it is called upon at this time to express, that prompt and effective measures should be adopted by Her Majesty's Government to reform the Constitution and customs of that important Province, by assimilating the laws and usages thereof to those of the neighboring Colonies, and by abolishing the French language from all Legislative and Judicial proceedings.

6. *Resolved*, That this House cannot venture to recommend the re-union of the Canadas without first having ascertained the views of the Upper Province on that important question.

7. *Resolved*, That this House entertains a high sense of the inflexible loyalty, which has distinguished such of the French inhabitants as have adhered to the Royal standard through the late rebellion.

8. *Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to transmit the foregoing Resolutions to Her Majesty's Government, to be laid at the foot of the Throne.

9. *Resolved*, That His Honor the Speaker do transmit a copy of the above Resolutions to the Constitutional Association at Montreal.

Mr. End then proposed various amendments to be substituted in place thereof, and they being handed in at the Clerk's Table, were likewise read, and are as follow, viz. :—

"1. *Resolved*, That this House deeply sympathises with the loyal people of Lower Canada, involved in civil war by the traitorous machinations of a faction, whose object is to sever that flourishing Colony from the British Dominions, and to plunge it in anarchy and confusion.

"2. *Resolved*, That such designs, if successful, must be destructive of the rights and best interests of the inhabitants of Lower Canada, would endanger the connexion so happily existing between the other North American Colonies and the Mother Country; and, in the opinion of this House, would be regarded as an extraordinary calamity, not merely by the British Provinces but by the well disposed and enlightened people of the neighbouring States.

"3. *Resolved*, That this House most cordially concurs in the sentiments of the Constitutional Association of Montreal, as expressed in their Petition of the 13th of December last; that many of the evils to which Lower Canada has been subjected have arisen from the Act of the Imperial Parliament of 31 Geo. 3, chapter 31, not having operated as was originally intended; and that the recognition and adoption of laws and customs, not essentially British, have paralysed the natural resources of the country, and precluded the inhabitants from participating in those political and commercial advantages which the other North American Colonies so eminently enjoy.

"4. *Resolved*, That this House deems it an indispensable duty to record its decided opinion, that had the claims of the House of Assembly of Lower Canada (so pertinaciously insisted upon as the only means of producing satisfaction and prosperity) been acceded to by the Home Government, the evils by which that Colony had been already too deeply afflicted must have been so increased and perpetuated, as to extinguish all hope that the inhabitants would ever have an opportunity of appreciating the excellence or enjoying the blessings of the British Constitution.

"5. *Resolved*, That the elective franchise becomes a most dangerous weapon when placed in the hands of those whose simplicity, ignorance and prejudice render them an easy prey to the designs of unprincipled ambition; and that this House is of opinion, that a total abolition of the same or a great increase of the qualification of electors (whose

(whose right of voting should be easily ascertainable by means of a public registration of freeholds) may be a means of removing many of those difficulties by which the Government of Lower Canada has been so factiously and vexatiously obstructed, as well as of securing to the inhabitants the inestimable blessings of British connexion.

"6. *Resolved*, That this House entertains a high sense of the firmness by which (in the present emergency) a vast proportion of the inhabitants of Canada have been so eminently distinguished, and the alacrity and courage which they have manifested in support of a just and paternal Government, without regarding the accidental distinctions of Country or origin, wisely devoting themselves to the cause of the Constitution, entitles them to the admiration and applause of their brethren in every part of the British Dominions.

"8. *Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that he may be pleased to transmit the foregoing Resolutions to Her Majesty's Government, to be laid at the foot of the Throne."

The question was then taken upon the amendments offered by Mr. End, when it was decided in the negative.

Upon the question being put for adopting the Resolutions submitted by Mr. Partelow, they passed in the affirmative.

On motion of Mr. Woodward,

*Resolved*, That an humble Address be presented to His Excellency the Lieutenant Governor, praying that His Excellency will be pleased to appoint Commissioners to select the best site for a Provincial Lunatic Asylum, either in the vicinity of the City of Saint John or Fredericton, or on any part of the River Saint John, and to furnish a plan of a suitable building for the above purpose; the estimated cost of which, including the land, shall not exceed four thousand pounds.

*Ordered*, That Mr. Woodward, Mr. Taylor and Mr. Jordan, be a Committee to wait upon His Excellency with the Address.

Mr. Woodward, from the Committee appointed on the 29th December last, in reference to the Finances of the Province, submitted their Report, which he read and handed the same in at the Clerk's Table, where it was again read, and is as follows:—

"The Committee for taking into consideration all matters connected with the Finances of the Province, report, that they find, upon investigating those accounts and papers which have come under their consideration, the state of the Province, with regard to its financial concerns, to stand on 31st December 1837, as follows:

Due the Savings Bank at Saint John,.....	£9,217	5	9
Appropriations for which Warrants have not issued, about,.....	1,600	0	0
Due the Fire Insurance Company, at Saint John,.....	10,000	0	0
Drawbacks for which the requisite certificates have not yet been lodged,	988	8	7
Due by the Province,.....	£21,805	14	4
Amount of Bonds and Cash in the hands of the Treasurer and Deputy Treasurers, exclusive of Bonds in the hands of the Attorney General,	33,531	3	8
Balance in favor of the Province,.....	£11,725	9	4
A Bill having passed the two Branches of the Legislature for the payment of the sum of ten thousand pounds, due the Fire Insurance Company, at Saint John, leaves of the Revenue of 1837, available for the appropriations of the present year,	£20,942	15	1
Probable Revenue of the current year, about one half of which will be in Bonds at the end of the year, to be collected under the Revenue Law,.....	70,000	0	0
	£90,942	15	1

Besides which the Province Treasurer is in possession of sundry securities for part of the Crown and Territorial Revenues which had been loaned, prior to the surrender of the said Revenues, amounting to £35,000; there is also £5000 due from the Saint John Water Company; there also appears by an account from the Audit Office to be in hands of the Commissioner of Crown Lands £3,936 10, and a balance in hands of the Receiver General £5,573 5 11; balance of amount paid by the Nova Scotia and New Brunswick Land Company in England, estimated at £17,111 2 3 currency. "The

"The Appropriations of the present Session amount to nearly £80,000; about one half of which sum is for Roads, Bridges and other Internal Improvements, and the residue for the expenses of Legislation, Education, Ordinary Services and Miscellaneous matters.

"All which is respectfully submitted.

"I. WOODWARD,  
WILLIAM END,  
JAMES BROWN, JUN.  
THOMAS GILBERT,  
JAMES TAYLOR,  
W. CRANE.

"Committee Room, 9th March, 1838."

*Ordered*, That the Report be accepted.

Read as engrossed,

The Resolution of Appropriation, passed the 6th instant, granting the sum of £2,148 5 2 to the Clerk of the House, for the contingent expenses of the present Session.

*Ordered*, That Mr. Allen take the said Resolution to the Council, and desire their concurrence thereto.

On motion of Mr. Woodward,

*Ordered*, That this House will in ten days after the opening of the next Session of the Legislature, go into consideration of the Petition of Richard M'Gee, and 44 others, complaining of bribery and corruption on the part of William FitzWilliam Owen, Esquire, at the late election for the County of Charlotte, and praying that his seat may be declared vacated, and a new Writ issue.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to

The Resolution of Appropriation, granting to the Clerk of the House the sum of £2,148 5 2 for the contingent expenses of the present Session.

Read a third time as engrossed,

A Bill to appropriate a part of the Public Revenue for the services therein mentioned.

*Resolved*, That the Bill do pass.

*Ordered*, That Mr. Taylor take the said Bill to the Council, and desire their concurrence thereto.

Mr. Woodward, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Address of this day, praying that His Excellency would be pleased to appoint Commissioners to ascertain and report upon the subject of a Provincial Lunatic Asylum, reported, that they had attended to that duty, and that His Excellency was pleased to say that he would have much pleasure in complying with the wishes of the House.

Mr. Allen, from the Joint Committee of the Legislative Council and this House, appointed to wait upon His Excellency the Lieutenant Governor with the Address of the two Houses, placing at the disposal of His Excellency, the sum of £10,000 for any emergency that may arise out of the present state of affairs in the Canadas, and on the Frontier of the United States, reported, that they had attended to that duty, and that His Excellency was pleased to say that he felt highly gratified with the same.

A Message from the Legislative Council.

Mr. Miller, Master in Chancery, informed the House that the Council had agreed to The Bill to appropriate a part of the Public Revenue for the services therein mentioned.

On motion of Mr. Woodward,

*Resolved*, That this House will not in future make any provision for the payment of reporting and printing the debates of the Assembly.

Mr. Partelow, from the Committee appointed to wait upon His Excellency the Lieutenant Governor with the Resolutions of this House, predicated on the Address of the Constitutional Association of the City of Montreal in Lower Canada, with a request that His Excellency would be pleased to transmit the same to Her Majesty's Government,

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to be laid at the foot of the Throne, reported, that they had attended to that duty, and His Excellency was pleased to say he would be happy in complying with the wishes of the House.

A Message from His Excellency the Lieutenant Governor, by the Gentleman Usher of the Black Rod, requiring the immediate attendance of the House in the Council Chamber.

The House attended, and being returned—

Mr. Speaker reported, that he had addressed His Excellency to the following effect :

*“ May it please Your Excellency,*

*“ The Assembly having adopted such measures as became necessary, in consequence of those unfortunate events in Lower Canada, which induced Your Excellency to call together the General Assembly at an unusually early period, next turned their attention to such objects as were recommended in several Messages from Your Excellency, and to others of general importance. Among those recommended, the appointment of a Master of the Rolls appeared to be of great importance; a Bill has therefore been passed authorizing such appointment. When this Bill becomes a law, and its provisions are carried into effect, a great improvement will, I am persuaded, take place in the administration of justice.*

*“ The Assembly have provided liberally for the ordinary services, and various other services, and they have made large grants for improving, opening and exploring Roads, and for erecting Bridges, and for various other objects of public utility. These grants will, I have no doubt, be judiciously expended, and cannot fail in no small degree to advance the general prosperity of the Province.*

*“ To provide ways and means for meeting the several appropriations and satisfying all claims upon the public, the Assembly have passed a Bill for imposing such import duties as will produce a Revenue sufficient for these purposes.*

*“ The Assembly fearing that the unprincipled conduct of many citizens of the United States along the Canadian frontier, in associating with the rebels from Canada, may interrupt those friendly relations which have happily so long subsisted between the United Kingdom and these States, have cheerfully passed a vote of credit to Your Excellency to enable Your Excellency to meet any exigency which may arise, if such an unfortunate event should take place.*

*“ I have to present on behalf of Her Majesty’s faithful and loyal subjects, the Commons of New Brunswick,*

*“ A Bill imposing duties upon certain articles imported into this Province :*

*“ A Bill to provide for opening and repairing Roads and erecting Bridges throughout this Province :*

*“ A Bill to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province : and*

*“ A Bill to appropriate a part of the Public Revenue for the services therein mentioned.*

*“ And pray Your Excellency’s assent to them.”*

That His Excellency was then pleased to give his assent to the several Bills presented by the House, and also to the following, intituled

An Act further to amend the Acts relating to the collection of the Revenue of the Province :

An Act to provide for the assessment of County and Parish Rates :

An Act to authorise the appointment of a Master of the Rolls to the Court of Chancery in this Province, and to provide for such Officer :

An Act for the amendment of the Law with respect to Wills :

An Act in addition to the Act for defining the crime of Forgery :

An Act in addition to and explanatory of an Act, intituled “ An Act to regulate proceedings before Justices of the Peace in Civil Suits :”

An Act in addition to the Acts regulating the sale of Real Estate seized and taken in execution :

An Act for the further amendment of the Law :

An Act to alter the times of holding the Circuit Courts in the County of Gloucester and Queen’s County :

An

An Act to alter the times for the appointment of Sheriffs and Supervisors of Great Roads:  
 An Act to authorise the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same:

An Act to provide for the erection of an Alms House and Work House, and to establish a public Infirmary in and for the City and County of Saint John:

An Act more effectually to prevent the abuse of Banking privileges:

An Act to provide for the erection of Fences with gates across the Highways on Deer Island, in the Parish of West Isles in the County of Charlotte:

An Act relating to the Grammar Schools of King's and Queen's Counties:

An Act to authorise the extension of the Gaol Limits in the Parish of Fredericton:

An Act to authorise the Treasurer of the Province to pay off the loan from the New Brunswick Fire Insurance Company:

An Act for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish:

An Act to continue certain Acts relating to the Fisheries in the County of Northumberland that are near expiring:

An Act to authorise the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt:

An Act to continue the Act relative to the Streets and Squares in the City of Saint John:

An Act for the better and more effectual securing the navigation of Newcastle River in Queen's County:

An Act to amend the Law relating to the inspection of Public Accounts by Grand Juries, so far as relates to the County of Charlotte:

An Act in addition to an Act, intituled "An Act to make more effectual regulations relating to Pilots within this Province," so far as regards the County of Charlotte:

An Act to provide for the expenses of the Speaker and Members of the House of Assembly, when attending the General Assembly:

An Act to enlarge and define the boundaries of the Parish of Woodstock in the County of Carleton:

An Act to authorise the Justices of the Peace in the County of Carleton to levy an assessment to pay off the County debt:

An Act in addition to and in amendment of an Act, intituled "An Act to regulate Tavernkeepers and Retailers:"

An Act to repeal an Act, intituled "An Act for erecting a part of the Parishes of Saint Mary's and Douglas, in the County of York, into a separate and distinct Town or Parish:"

An Act to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish:

An Act for the settlement of the Estate of the late Receiver General of this Province:

An Act to amend an Act, intituled "An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other Vessels, within the limits of this Province:"

An Act to incorporate *The Saint John Mills and Manufacturing Company*:

An Act to incorporate *The Petcodiac Wet Dock Company*:

An Act for the incorporation of *The Saint Andrews and Saint John Stage Company*:

An Act to amend the Act incorporating the New Brunswick Fire Insurance Company: also

An Act to incorporate sundry persons by the name of *The President, Directors and Company of the Miramichi Bank (with a suspending clause)*:

An Act to increase the Capital Stock of the Charlotte County Bank, and to amend the Act incorporating the same (*with a suspending clause*): and

An Act to amend the Laws relating to the solemnizing of Marriage (*with a suspending clause*).

And His Excellency was then further pleased to make the following Speech to both Houses:—

"*Mr. President and Honorable Gentlemen of the Legislative Council,*

"*Mr. Speaker and Gentlemen of the House of Assembly,*

"On behalf of our Gracious Queen I renew to you my thanks for the manner in which you responded to the appeal, which I felt it my duty to make to you at the opening

opening of the Session, and for the effectual provision which you so promptly made for the purpose of giving support to the Royal authority and aid to your loyal fellow subjects in the Sister Provinces, recently the scene of revolt.

"My acknowledgments are further due to you for the attention which you have paid to the general business of the Session, as well as to those subjects which I have from time to time brought under your consideration. Intimately acquainted as you necessarily are with the actual condition of the Province, I do not allow myself to doubt that those questions have been disposed of in the manner most accordant with its true interests.

"I thank you in Her Majesty's name for the liberality with which you have granted the supplies for the various exigencies of the public service, and more especially for having made a suitable provision for the important office of Master of the Rolls; and I will add in my own name and in that of my Successors in the administration of this Government, for the great attention which has been paid to the accommodation of Her Majesty's Representative, in the thorough repairs made, and furniture added, to the Government House.

"It only remains for me to assure you that it will be my endeavour to apply your appropriations to their respective objects, with a due attention to that just economy which appears to me to consist in giving the fullest effect to the service in view, without unnecessary expense to the public.

"Upon the result of your joint labours I offer you my congratulations, and above all I wish to record my approbation of that spirit of cordiality and unanimity which has characterized all your proceedings.

"The Legislative duties of the Session appear to me to have been conducted in the true spirit of that revered Constitution to which the People of this Province have, on so many occasions, shewn their zealous attachment, and which, I am convinced, it will be your care and your determination to transmit unimpaired to your descendants.

"In releasing you from further attendance upon your Legislative duties, I look forward with satisfaction and confidence to again meeting you in Provincial Parliament at the usual period, or whenever the state of Public affairs may appear to me to require that you should be convened.

"In concluding this Address, I advert with feelings of proud emotion to your joint Resolution, which has just been presented to me, placing at my disposal the sum of ten thousand pounds for the purpose of enabling me to meet any emergency which may arise out of the state of affairs now existing betwixt the British and American Governments, in consequence of the lawless and hostile proceedings of the armed banditti by which the Frontiers of Upper and Lower Canada are threatened from the United States, and for the object of preserving that connexion with the Mother Country, which is so warmly cherished by the Inhabitants of this Province.

"Gentlemen—by England's Queen—by the British People, and by your loyal fellow subjects of these and every other Colony of this vast Empire, will your noble conduct at this crisis be duly appreciated.

"For myself I can no otherwise repay the confidence which you have been pleased to repose in me than by devoting my utmost energies to the glorious cause of preserving our soil from violation by hostile Foreigners, and of maintaining to the loyal Inhabitants of these truly British Colonies the blessings of British connexion, for which they have so unequivocally evinced their attachment and preference.

That His Honor the President of the Legislative Council then said:—

*"Honorable Gentlemen of the Legislative Council,*

*"Mr. Speaker and Gentlemen of the House of Assembly,*

"It is His Excellency the Lieutenant Governor's will and pleasure, that this General Assembly be prorogued until the second Tuesday in June next, and this General Assembly is accordingly prorogued until the second Tuesday in June next, then here to be holden."

CHARLES P. WETMORE, *Clerk.*

# **APPENDIX.**





**No. 1.**  
**RETURNS FROM BANKS**  
 AND OTHER  
**INCORPORATED COMPANIES.**

**COMMERCIAL BANK.**

**A** BSTRACT from the Weekly Balance Sheets, shewing the average amount of the Liabilities and Assets of the Commercial Bank of New Brunswick, for the half year ending on the 8th day of April, 1837.

**LIABILITIES OF THE BANK.**

Capital Stock paid in,.....	£108,844	3	9
Notes in circulation, not bearing interest,.....	71,510	14	5
Ditto ditto, bearing interest,.....	276	18	5
Balance due to other Banks,.....	28,814	6	11
Net Profits,.....	5,568	11	0
Cash deposited with the Bank, including all sums due from the Bank, not bearing interest, (its bills in circulation, and balances due to other Banks excepted),.....	15,179	12	2
Cash deposited, bearing interest,.....	10,040	0	0
Total liabilities of the Bank,.....	£240,234	6	8

**RESOURCES OF THE BANK.**

Gold, silver, and other coined metals in the Banking House,.....	£18,659	9	6
Real Estate, &c. &c.....	1,082	4	2
Bills of other Banks,.....	16,816	16	9
Balances due from other Banks,.....	24,023	12	2
Debts due to the Bank, including notes, bills of exchange, and all stock and funded debts of every description, (balances due from other Banks excepted),.....	179,652	4	1
Total resources of the Bank,.....	£240,234	6	8

Rate of last dividend—Four and a half per cent.

Amount of last dividend—Four thousand five hundred and seventy nine pounds, two shillings and sixpence.

Reserved profits at the time of declaring the last dividend—Four hundred and nine pounds, eight shillings.

Capital Stock paid in—One hundred and forty three thousand one hundred and thirty seven pounds, four shillings and twopence.

Doubtful debts—None.

*Errors excepted.*

Commercial Bank of New Brunswick, 8th April, 1837.

CHARLES WARD, *President.*

A. BALLOCH, *Cashier.*

## APPENDIX.

**A**BSTRACT from the Weekly Balance Sheets, shewing the average amount of the Liabilities and Assets of the Commercial Bank of New Brunswick, for the half year ending on the 7th day of October, 1837.

### LIABILITIES OF THE BANK.

Capital Stock paid in,.....	£149,751	15	5
Notes in circulation, not bearing interest,.....	63,444	2	4
Ditto ditto, bearing interest,.....	0	0	0
Balances due to other Banks,.....	37,206	16	4
Net Profits,.....	6,134	4	10
Cash deposited with the Bank, including all sums due from the Bank, not bearing interest, (its Bills in circulation, and balances due to other Banks excepted),.....	23,796	9	11
Cash deposited, bearing interest,.....	13,047	16	0
<b>Total liabilities of the Bank,.....</b>	<b>£298,381</b>	<b>4</b>	<b>10</b>

### RESOURCES OF THE BANK.

Gold, silver, and other coined metals in the Banking House,.....	£18,573	17	7
Real Estate, &c. &c. ....	2,215	11	8
Bills of other Banks,.....	18,488	6	7
Balances due from other Banks,.....	39,387	13	10
Debts due to the Bank, including notes, bills of exchange, and all stock and funded debts of every description, (balances due from other Banks excepted),.....	214,715	15	2
<b>Total resources of the Bank,.....</b>	<b>£298,381</b>	<b>4</b>	<b>10</b>

Rate of last dividend—Five per cent.

Amount of last dividend—Five thousand two hundred and eighty nine pounds, three shillings and four pence.

Reserved profits at the time of declaring last dividend—Five hundred and thirteen pounds, six shillings and one penny.

Capital Stock paid in—One hundred and forty nine thousand nine hundred and fifty eight pounds, six shillings and eightpence.

Doubtful debts—None.

*Errors excepted.*

Commercial Bank of New Brunswick, 7th October, 1837.

CHARLES SIMONDS, *President.*

A. BALLOCH, *Cashier.*

### CENTRAL BANK.

**S**TATE of the Central Bank of New Brunswick, on Monday the 6th day of March, 1837.

### DUE FROM THE BANK.

Capital Stock paid in,.....	£35,000	0	0
Bills in circulation,.....	47,070	0	0
Balances due to other Banks,.....	0	0	0
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	19,842	11	8
Cash deposited, bearing interest,.....	9,000	0	0
Net profits on hand,.....	1,946	9	7½
<b>Total amount due from the Bank,.....</b>	<b>£112,858</b>	<b>1</b>	<b>3½</b>

### RESOURCES OF THE BANK.

Gold, silver, and other coined metals in its Banking House,.....	£12,008	19	1½
Balances due from other Banks,.....	1,238	8	7½
<b>Carried forward,.....</b>	<b>£13,247</b>	<b>7</b>	<b>9½</b>

# APPENDIX.

<i>Brought forward</i> ,.....	£13,247	7	9½
Bills of other Banks incorporated in this Province,.....	549	15	0
Real Estate,.....	1,081	7	9
Contingent account,.....	88	2	8
Amount of all debts due, including notes, bills of exchange, and all stock and funded debts of every description, excepting the balances due from other Banks,.....	97,897	8	1

Total amount of resources of the Bank,.....£112,859 1 3½

Date and amount of last dividend, December 1836—Six and one half per cent.....	£1,625	0	0
Amount of reserved profits at the time of declaring the last dividend,	703	13	10½
Amount of debts due and not paid, and considered doubtful,.....	0	0	0

I, Robert Gowan, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing return is correct and true, to the best of my knowledge and belief.

ROBERT GOWAN.

Sworn before me, this 21st day of March, 1837.

JOHN S. SAUNDERS, J. C. P.

We, Thomas Pickard, William J. Bedell, John T. Smith, Oliver Smith, and James Taylor, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath that the books of the said Bank indicate the state of facts stated in the foregoing return, and that we have full confidence in the truth of the return so made by the Cashier of the said Bank.

THOMAS PICKARD,  
WILLIAM J. BEDELL,  
JOHN T. SMITH,  
OLIVER SMITH,  
JAMES TAYLOR.

Sworn before this me, 21st day of March, 1837.

JOHN S. SAUNDERS, J. C. P.

**S**TATE of the Central Bank of New Brunswick, on the first Monday in June, 1837, at 3 o'clock, P. M.

## DUE FROM THE BANK.

Capital Stock paid in,.....	£35,000	0	0
Bills in circulation,.....	35,644	10	0
Balances due to other Banks,.....	0	0	0
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted;.....	25,525	11	8½
Cash deposited bearing interest,.....	9,000	0	0
Net profits on hand;.....	3,083	0	2½

Total amount due from the Bank,.....£108,253 1 10½

## RESOURCES OF THE BANK.

Gold, silver, and other coined metals in its Banking House,.....	£5,923	1	10½
Balances due from other Banks,.....	60	6	2½
Bills of other Banks incorporated in this Province,.....	456	15	0
Real Estate,.....	6,440	3	0½
Amount of all debts due, including notes, bills of exchange, and all stock and funded debts of every description, except balances due from other Banks,.....	1,081	7	9
	100,731	14	1

Total amount of the resources of the Bank,.....£108,253 1 10½

# APPENDIX.

Date and amount of the last dividend, 13th December, 1836—One thousand six hundred and twenty five pounds, (6½ per cent.),.....£1,625 0 0  
 Amount of reserved profits at the time of declaring the last dividend,.... 703 13 10½  
 Amount of debts due and not paid, and considered doubtful—None.

I, Robert Gowan, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing return is correct and true, to the best of my knowledge and belief.

ROBERT GOWAN.

Sworn before me, this 13th day of June, 1837.

JOHN S. SAUNDERS, J. C. P.

We, William J. Bedell, John A. Beckwith, Thomas R. Robertson, John T. Smith, and Oliver Smith, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath, that the Books of the said Bank indicate the state of facts stated in the foregoing return, and that we have full confidence in the truth of the said return, so made by the Cashier of the said Bank.

WILLIAM J. BEDELL,  
 JOHN A. BECKWITH,  
 THOMAS R. ROBERTSON,  
 JOHN T. SMITH,  
 OLIVER SMITH.

Sworn before me, this 13th day of June, 1837.

JOHN S. SAUNDERS, J. C. P.

**S**TATE of the Central Bank of New Brunswick, on the first Monday in December, 1837, at 3 o'clock, P. M.

## DUE FROM THE BANK.

Capital Stock paid in,.....	£35,000	0	0
Bills in circulation,.....	45,978	15	0
Balance of accounts with other Banks,.....		0	0 0
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks, excepted,.....	16,200	12	11½
Cash deposited, bearing interest,.....	9,000	0	0
Net profit on hand,.....	3,152	8	8½
Total amount due from the Bank,.....	£109,331	16	7½

## RESOURCES OF THE BANK.

Gold, silver, and other coined metals in its Banking			
House,.....	£6,460	15	3½
Balance of accounts with other Banks,.....	8,103	9	5½
Bills of other Banks incorporated in this Province,....	7,947	15	0
		22,511	19 8½
Real Estate,.....		1,292	2 9
Amount of all debts, including notes, bills of exchange, and all stock and funded debts of every description, except the balances due from other Banks,.....		85,527	14 2
Total amount of the resources of the Bank,.....	£109,331	16	7½

Date and amount of the last dividend (five per centum), declared 6th June, 1837,.....£1,750 0 0  
 Amount of reserved profits at the time of declaring the last dividend—  
 Twelve hundred and ninety seven pounds eighteen shillings and six pence farthing,..... 1,297 18 6½  
 Amount of debts due and not paid, and considered doubtful—None.

I, Robert Gowan, Cashier of the Central Bank of New Brunswick, do make oath and say, that the foregoing return is correct and true, to the best of my knowledge and belief.

ROBERT GOWAN.

Sworn before me, this 18th day of December, 1837.

B. WOLHAUPTER, J. Peace.

## APPENDIX.

We, John A. Beckwith, William J. Bedell, Thomas Pickard, Thomas R. Robertson, John T. Smith, Oliver Smith, and James Taylor, being a majority of the Directors of the Central Bank of New Brunswick, do certify and make oath, that the Books of the said Bank indicate the state of facts stated in the foregoing return, and that we have full confidence in the truth of the said return so made by the Cashier of said Bank.

JOHN A. BECKWITH,  
W. J. BEDELL,  
THOMAS PICKARD,  
T. R. ROBERTSON,  
JOHN T. SMITH,  
OLIVER SMITH,  
JAMES TAYLOR.

Sworn before me, this 18th day of December, 1837.

B. WOLHAUPTER, J. Peace.

### CITY BANK.

**S**TATE of the City Bank, on Monday the 1st day of May, 1837, at 3 o'clock, P. M.

#### DUE FROM THE BANK.

Bills in circulation,.....	£22,587	5	0
Net profits on hand,.....	1,971	13	10
Balance due to other Banks,.....	9,708	0	5
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	8,239	10	7
Cash deposited, bearing interest,.....	14,742	15	2
Capital Stock—50 per cent. instalment paid in,.....	50,000	0	0
Total amount due from the Bank,.....	£107,249	5	0

#### RESOURCES OF THE BANK.

Gold, silver, and other coined metals in Banking House,.....	£8,922	18	4
Real Estate,.....	2,211	13	4
Bills of other incorporated Banks in the Province,.....	12,909	18	7
Balances due from other Banks,.....	692	9	9
Amount of all debts due, including notes, bills of exchange, and all stock and funded debts of every description, excepting the balances due from other Banks,.....	82,512	4	6
Total amount of the resources of the Bank,.....	£107,249	5	0

Amount of first dividend, declared by the City Bank on 31st January, 1837, being four per cent. on the amount paid in, equal to two thousand pounds.

Amount of reserved profits at the above period of declaring the dividend, being one hundred and seventy five pounds sixteen shillings and twopence.

Amount of debts due and not paid, and considered doubtful, none.

City Bank, Saint John, N. B. 1st May, 1837.

THOS. JONES, *Cashier*.

I hereby swear that the above statement, to which I have subscribed my name, is just and true, to the best of my knowledge and belief.

THOS. JONES, *Cashier*.

Sworn before me, this 6th of May, 1837.

GEO. D. ROBINSON, J. P. .

The undersigned, Directors of the City Bank, make oath and say, that the books of  
of

# APPENDIX.

the said Bank indicate the state of facts returned by their Cashier in the within statement, and that we have full confidence in the truth of the return so made by him.

JOHN V. THURGAR, *President*.  
THOS. LEAVITT,  
THOMAS MERRITT,  
JAMES T. HANFORD,  
CHARLES C. STEWART,  
HUGH MACKAY,  
E. D. W. RATCHFORD,  
JOHN ROBERTSON.

Sworn before me, this 6th of May, 1837.

GEO. D. ROBINSON, J. P.

**S**TATE of the City Bank, on Monday the 6th November, 1837, at 3 o'clock, P. M.

## DUE FROM THE BANK.

Bills in circulation,.....	£33,105	15	0
Net profits on hand,.....	1,736	10	0
Balances due to other Banks,.....	9,144	3	1
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	6,488	1	4
Cash deposited, bearing interest,.....	7,020	3	1
Capital Stock—50 per cent. paid in,.....	50,000	0	0
<b>Total amount due from the Bank,.....</b>	<b>£107,494</b>	<b>12</b>	<b>6</b>

## RESOURCES OF THE BANK.

Gold, silver, and other coined metals in its Banking House,.....	£10,480	11	1
Real Estate,.....	2,294	2	9
Bills of other Banks incorporated in this Province,.....	13,065	18	9
Balances due from other Banks,.....	5,757	0	0
Amount of all debts due, including notes, bills of exchange, and all stock and funded debts of every description, except the balances due from other Banks,.....	75,916	19	11

**Total amount of the resources of the Bank,.....£107,494 12 6**

Date and amount of last dividend—31st July, 1837.

Amount of last dividend—3 per cent. Declared on the 31st July, 1837.

Amount of reserved profits at the time of declaring the last dividend—£28 16 2.

Amount of debts due and not paid, and considered doubtful—None.

N. B.—A small loss may be sustained by the suspension of business by the late agents of the City Bank in England; but from the best information obtained, the Directors do not feel authorised to designate such account doubtful.

I, Thomas Jones, do swear that the above return is just and true, to the best of my belief and knowledge.

THOS. JONES, *Cashier*.

Sworn before this me, 14th Day of November, 1837.

GEO. D. ROBINSON, J. P.

We, the undersigned, Directors of the City Bank, do certify and make oath, that the books of the City Bank indicate the state of facts returned by their Cashier, and that they have full confidence in the truth of the return so made by him.

City Bank, Saint John, N. B. 6th November, 1837.

THOS. LEAVITT, *President*.  
I. L. BEDELL,  
THOS. MERRITT,  
JOHN V. THURGAR,  
JAMES T. HANFORD,  
HUGH MACKAY,  
N. SMITH DEMILL, } *Directors*.

Sworn before me, this 14th of November, 1837.

GEO. D. ROBINSON, J. P.

\* In this amount is included £476 of Bank of Fredericton notes.

# APPENDIX.

## CHARLOTTE BANK.

**S**TATEMENT of the affairs of the Charlotte County Bank, first Monday in April, 1837.

Amount of debts due to the Corporation,.....	£28,692	9	3
Ditto of debts due by the Corporation,.....	1,580	6	5
Ditto of notes in circulation,.....	16,616	0	0
Ditto of gold and silver on hand,.....	2,572	12	1
Ditto of doubtful debts,.....	35	6	4
Ditto of notes of other Banks,.....	1,828	10	0
Balance of undivided profits,.....	£157	6	9
Dividend declared this day,.....	675	0	0

H. HATCH, *President*.  
THOS. WYER,  
JAMES DOUGLAS,  
JAMES W. STREET,  
JOHN WILSON.

I, John Rodger, Cashier of the Charlotte County Bank, do hereby swear that the above is a true and faithful statement of the affairs of the said Institution, to the best of my knowledge and belief.

J. RODGER, *Cashier C. C. Bank.*

Sworn to at Saint Andrews, in the County of Charlotte, this 1st day of May, 1837, before me.

JOHN WILSON, J. P.

## SAINT STEPHENS BANK.

**S**TATE of Saint Stephens Bank on Thursday, preceding the first Monday of April, 1837, 3 o'clock, P. M.

### DUE FROM THE BANK.

Capital Stock paid in,.....	£12,500	0	0
Bills in circulation,.....	11,229	0	0
Net profits on hand,.....	112	18	7
Balance due to other Banks,.....	59	7	8
Cash deposited, including all sums whatever due from the Bank, its stock, bills in circulation, profits and balances due other Banks, excepted,.....	2,282	9	2
Unclaimed dividends,.....	422	8	9
	£26,606	4	2

### RESOURCES OF THE BANK.

Gold and silver in its Banking House,.....	£2,786	5	9
Bills of other Banks incorporated in the Province,.....	867	15	0
Bills of Banks without the Province,.....	251	15	0
Amount of all debts due the Bank, including notes, bills of exchange, and all debts of every description, excepting balances due to other Banks,.....	20,697	10	0
Amount due from other Banks,.....	1,879	3	5
Personal Estate, (one double iron chest,).....	173	15	0
	£26,606	4	2

D. UPTON, *Cashier*.

Charlotte, ss.

On this twenty sixth day of June, in the year of our Lord one thousand eight hundred and thirty seven, personally appeared David Upton, Cashier of the Saint Stephen's Bank, and made oath to the truth of the statements contained in the preceding return, by him signed, according the best of his knowledge and belief.

SAM. ABBOT, J. Peace.



## APPENDIX.

The undersigned, a majority of the Directors of the Saint Stephens Bank, hereby certify that the books of said Bank exhibit the facts presented in the preceding statement or return, signed by their Cashier, and that they have full confidence in the truth of said return, so by him made.

ROBERT M. TODD,  
ROBERT LINDSAY,  
GILMAN D. KING,  
GEORGE S. HILL,  
WM. PORTER,  
JAMES ALBEE.

**S**TATE of Saint Stephens Bank on the first Monday in July, 1837, 3 o'clock,  
P. M.

### DUE FROM THE BANK.

Capital Stock paid in,.....	£12,500	0	0
Bills in circulation,.....	11,440	10	0
Net profits on hand,.....	289	15	8½
Balances due to other Banks,.....	11	5	0
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	3,249	12	8
Cash deposited, bearing interest,.....	0	0	0
Unclaimed dividends,.....	58	10	0
Total amount due from the Bank,.....	£27,549	13	4½

### RESOURCES OF THE BANK.

Gold and silver in its Banking House,.....	£3,791	15	0
Bills of other Banks in this Province,.....	781	5	0
Bill of Banks without the Province,.....	1,186	10	0
Balances due from other Banks,.....	3,862	19	5
Amount of all debts due the Bank, including notes; bills of exchange, and all funded debts of every description, excepting balances due from other Banks,.....	17,753	8	11½
Personal Estate, (one double iron Safe,).....	173	15	0
Total amount of the resources of the Bank,.....	£27,549	13	4½

Date and declaration of last dividend—28th February.

Amount of last dividend (four and a half per cent.)—Five hundred and sixty two pounds, ten shillings.

Amount of reserved profits, at the time of declaring the same—Twelve pounds, five shillings and two pence farthing.

Amount of debts due, not paid, and considered doubtful—None.

D. UPTON, *Cashier*.

*Charlotte, ss.*

On this third day of July, in the year of our Lord one thousand eight hundred and thirty seven, personally appeared David Upton, Cashier of the Saint Stephens Bank, and made oath to the truth of the statement contained in the preceding return, by him signed, according to the best of his knowledge and belief.

SAM. ABBOT, *J. Peace*.

The undersigned a majority of the Directors of the Saint Stephens Bank, hereby certify that the books of the said Bank exhibit the facts presented in the preceding statement or return signed by their Cashier, and that they have full confidence in the truth of the said return so by him made.

GEORGE S. HILL,  
JOHN MARKS,  
ROBERT LINDSAY,  
JAMES ALBEE,  
GEO. M. PORTER.

## APPENDIX.

*Charlotte, ss.*

On this third day of July, in the year of our Lord one thousand eight hundred and thirty seven, personally appeared before me, Samuel Abbot, Esquire, one of His Majesty's Justices of the Peace in and for the said County, the above named George S. Hill, John Marks, Robert Lindsay, James Albee, and George M. Porter, who made oath to the truth of the preceding statement by them subscribed, according to the best of each his knowledge and belief.

SAM. ABBOT, J. Peace.

**S**TATE of Saint Stephens Bank, on the first Monday of January, 1838, 3 o'clock, P. M.

### DUE FROM THE BANK.

Capital Stock paid in,.....	£12,500	0	0
Bills in circulation,.....	15,580	0	0
Balances due to other Banks,.....	836	13	10
Cash deposited, including all sums whatever due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	2,339	0	4½
Unclaimed dividends,.....	43	15	0
Net profits on hand,.....	624	18	11½

Total amount due from the Bank,.....£31,924 8 2

### RESOURCES OF THE BANK.

Gold and silver in its Banking House,.....	£8,974	16	10
Bills of other Banks in the Province,.....	821	5	0
Bills of Banks without the Province,.....	53	10	0
Balances due from other Banks,.....	1,940	2	7
Amount of all debts due the Bank, including notes, bills of exchange, and all debts of every description, excepting balances due from other Banks,.....	19,960	18	9
Personal Estate, (one double iron safe),.....	173	15	0
	£31,924	8	2

Date and time of declaring last dividend—August 31, 1837.

Amount of last dividend (four per cent.)—Five hundred pounds.

Amount of reserved profits at the time of declaring the same—Sixty two pounds four shillings and fourpence.

Amount of all debts due, not paid, and considered doubtful—None.

D. UPTON, *Cashier.*

*Charlotte, ss.*

On this fifth day of January, in the year of our Lord one thousand eight hundred and thirty eight, personally appeared David Upton, Cashier of the Saint Stephens Bank, and made oath to the truth of the statement contained in the preceding return by him signed, according to the best of his knowledge and belief.

SAM. ABBOT, J. P.

The undersigned, a majority of the Directors of the Saint Stephens Bank, hereby certify that the books of said Bank exhibit the facts presented in the preceding statement or return signed by their Cashier, and that they have full confidence in the truth of said return so by him made.

WILLIAM PORTER,  
ROBERT LINDSAY,  
ROBERT M. TODD,  
JAMES ALBEE,  
GILMAN D. KING.

*Charlotte, ss.*

On this fifth day of January, in the year of our Lord one thousand eight hundred and thirty eight, personally appeared William Porter, Robert Lindsay, Robert M. Todd,

## APPENDIX.

James Albee, and Gilman D. King, and made oath to the preceding statement by them signed.

SAM. ABBOT, J. P.

### BANK OF NEW BRUNSWICK.

**S**TATE of the Bank of New Brunswick, Monday, 1st January, 1838, 3 o'clock, P. M.

#### LIABILITIES OF THE BANK.

Capital Stock paid,.....	£50,000	0	0
Bills in circulation,.....	16,129	0	0
Net profits on hand,.....	1,860	14	10
Balance due to other Banks,.....	16,448	16	8
Cash deposited, including all sums due from the Bank, not bearing interest, its bills in circulation, profits and balances due to other Banks excepted,.....	17,879	2	8
Cash deposited, bearing interest,.....	14,601	2	9
<b>Total liabilities of the Bank,.....</b>	<b>£116,918</b>	<b>16</b>	<b>11</b>

#### RESOURCES OF THE BANK.

Gold, silver, and other coined metals in its Banking House,.....	£9,023	1	0
Real Estate,.....	3,242	16	1
Bills of other Banks incorporated in this Province,.....	15,146	15	0
Balance due from other Banks,.....	3,516	2	9
Debts due to the Bank, including notes, bills of exchange, and all stock and funded debts of every description, balances due from other Banks excepted,.....	85,990	2	1
<b>Total resources of the Bank,.....</b>	<b>£116,918</b>	<b>16</b>	<b>11</b>

Amount of last dividend (declared 1st October, 1837)—£1,750.

Reserved profits at the time of declaring the last dividend—£723 0 9.

Doubtful debts—£33 6.

R. WHITESIDE, *Cashier*.

I, Richard Whiteside, Cashier of the above named Bank, do solemnly swear that the above is true, according to the best of my knowledge and belief.

R. WHITESIDE.

Sworn at the City of Saint John, this 2d day of January, 1838, before me,

THOS. MILLIDGE, J. P.

### NEW BRUNSWICK FIRE INSURANCE COMPANY.

**S**TATEMENT of the affairs of the New Brunswick Fire Insurance Company, 1st March, 1887.

Capital, .....	£50,000	0	0
Other funds, viz. :—			
Amount per last year's statement,.....	6,093	15	7
Since accrued, viz. :—			
Premiums,.....	£2,231	11	11
Interest,.....	1,009	15	1
For transfers of Stock, &c.....	0	17	10
	<b>3,242</b>	<b>4</b>	<b>10</b>
<b>Carried forward,.....</b>	<b>£59,336</b>	<b>0</b>	<b>5</b>

## APPENDIX.

	<i>Brought forward,</i> .....	£59,336	0	5
Deductions :—				
Office expenses, &c.....	£231	4	9	
Loss paid Executors of S. Grosvenor,.....	500	0	0	
Two dividends of 5 per cent. 29th February and 31st August, 1836,.....	1000	0	0	
		1,731	4	9
		£57,604	15	8
Unpaid of the dividends,.....		139	10	0
		£57,744	5	8

### RESOURCES.

Stockholders' securities,.....	£40,000	0	0	
Provincial ditto, .....	10,000	0	0	
Bonds of the Corporation of the City,.....	600	0	0	
Notes of Bank,.....	3,469	0	10	
Fifty two shares Commercial Bank Stock,.....	979	5	1	
Cash,.....	2,695	19	9	
		57,744	5	8
Funds, exclusive of capital,.....	£7,604	15	8	
Add a year's interest due 1st March on the loan to the Province,.....	600	0	0	
		£8,204	15	8
Of this is earned, including the £600 due as above,.....	£6,092	12	11	
Unearned,.....	2,112	2	9	
		8,204	15	8

Insured in the year ending 28th February, 1837—£183,440.

Now at risk, including Policies upon which losses yet unadjusted have been sustained—£160,466.

Saint John, 1st March, 1837.

JOHN M. WILMOT, *President.*

RALPH M. JARVIS,  
JOHN WALKER,  
A. S. PERKINS,  
JOHN KINNEAR,  
MARK DOLE,

WILLIAM JARVIS,  
J. BOYD,  
N. MERRITT,  
ROBERT F. HAZEN,  
G. T. RAY.

D. JORDAN, *Secretary.*

### MECHANICS' WHALE FISHING COMPANY.

**S**TATE of the affairs of the Saint John Mechanics' Whale Fishing Company, up to 1st September, 1837.

To 45 per cent. received on the Capital Stock of the Company up to 1st September,.....	£22,500	0	0
Bills payable to sundry persons, now due,.....	£1,469	9	0
Bills payable to sundries due in all the month of November, .....	1,262	11	9
Bills payable to sundries in March, 1838,.....	379	0	0
	£3,111	0	9
Book accounts due to sundries as per inventory,.....	4,848	2	9
		7,959	3
Balance in favour of the Company,.....		401	12
		£30,950	16

# APPENDIX.

Ship Mechanic—cost of Ship,.....	£5,741	16	9			
Ditto cost of outfit,.....	3,640	12	3			
				£9,382	9	0
Ship Royal William—cost of Ship,.....	£3,632	6	3			
Ditto cost of outfit,.....	2,467	0	0			
				6,099	6	3
Ship Pacific—cost of Ship,.....	£5,802	2	0			
Ditto cost of outfit,.....	4,264	6	7			
				10,066	8	7
Bills receivable for amount due from sundries,.....	£1,471	14	6			
Merchandize for sundries on hand, per inventory,.....	731	18	5			
Cash for this amount on hand,.....	1,075	10	4			
				3,279	3	3
Book accounts for amount advanced to Crew of Ship Mechanic,.....	£402	4	4			
Book accounts for amount advanced to Crew of Royal William,.....	385	10	6			
“ “ “ Ship Pacific,....	821	6	5			
				1,609	1	3
Book accounts, amount due by John Ward,.....	£37	3	11			
“ “ N. Merritt,.....	0	7	6			
“ due by sundries on last instalment,.....	53	10	0			
				91	1	5
Profit and loss account, for amount of stationery, rents, books, President and Secretary's salary, and Premiums on Bills remitted, &c. &c.....				423	6	8
				£30,950	16	5

THOS. NISBET, *President.*  
JOHN DUNCAN,  
JOHN WISHART,  
HENRY CHUBB,  
C. D EVERITT,  
JAMES HOLMAN, } *Directors.*

I, John Kirby, Secretary to the Saint John Mechanics' Whale Fishing Company, do swear, that the above statement of the affairs of said Company is just and true.

JOHN KIRBY, *Secretary.*

Sworn the 26th day of December, 1837, before me,

H. PORTER, J. P. *for the City and County of Saint John.*

## List of Stockholders in the Saint John Mechanics' Whale Fishing Company, up to 22d December, 1837.

A	Cunnard, Robert	F
Anderson, George G.	Cock, Simon W.	Fulton, Robert
B	Crookshank, Charles	Faulke, William D.
Berryman, John	Chubb, Henry	Fisher, Charles
Balloch, Alexander	Cameron, Robert	Foulis, Robert
Burns, John	Crear, John	G
Barker, Spafford	Cameron, Ewen	Gregory, John
Bryant, Joseph	Cook, Samuel	Godsoe, William
Blakslee, Henry	Calvert, Richard	Gable, David
Barker, Jacob W.	D	Gaynor, John B.
Bowes, James	Dunn, Joshua	Godsoe, Nathan
Barlow, Thomas, Junior.	Duncan, John	Godsoe, Charles
Barbour, Robert	Drury, Edward	Greenwood, Edward W.
Budd, Edward J.	Dooley, John	H
Beek, James S.	Dunham, William	Heans, Thomas
C	E	Hartt, George
Cudlip, J. W.	Everitt, Thomas C.	Harris, James
Cunnard, Thomas	Everitt, Charles D.	Hinds, James
Clarke, Isaa		Hutchinson, William

# APPENDIX.

Hastings, John	Mosher, Ira	Rankin, Robert
Hutchinson, George	M'Kenzie, Angus	Reynolds, Bernard
Hartt, William D.	M'Queen, Alexander	Robertson, Alexander
Holman, James	M'Pherson, Charles	Robertson, John
Hardenbrook, John	Marjoribanks, Thomas	Roberts, William
Hawksworth, A. E.	M'Lauchlan, Charles	Robertson, Robert Jun.
Hawksworth, John S.	Melick, Charles J.	S
Hay, Thomas	Mackay, Hugh	Strange, Samuel
Hartt, John	M'Garrigle, John	Sancton, Henry P.
Hales, James	M'Lauchlan, D. J.	Skinner, Samuel
Hartt, George W.	M'Donald, C. C.	Scott, Daniel
Haws, John	M'Naughton, John	Spahnn, Justin
Hales, John	M'Millan, Alexander	Stephens, Ebenezer
Hatheway, F. W.	Morrow, George	Sorrell, Charles
J	M'Cready, William	Scott, James
Johnston, David	Merritt, David J.	Stevens, William J.
Jouett, Isaac W.	N	Strickland, David
Jordan, Samuel	Nisbet, Thomas	Smith, John T.
Johnston, James	Nisbet, Thomas, Jun.	Sulis, Joseph
Irish, J. M. W.	Nicholson, Thomas L.	Spiller, Samuel
K	O	Sears, Edward
Kearney, Thomas	Olive, William	Sears, George
Keltie, Robert	Olive, Isaac	Scammell, William
Keator, James	P	Steevens, Robert
Kinsman, Frederick	Pollok, John	T
King, George	Parker, John	Thomson, George
L	Pickard, Humphrey	Tibbitts, James
Lawton, James	Perley, Moses H.	Thompson, John
Lawton, William	Peters, Samuel	W
Lawton, Charles	Peters, James	Whitney, David M.
Lugrin, H. N. H.	Q	Wilmot, John L.
Laurence, Alexander	Quintance, Thomas	Wood, Zylvester
Lingley, Joseph	R	Wishart, John
Lingley, Edward	Ratchford, E. D. W.	Walker, John
Leary, James	Richardson, John	Ward, John
Lumbart, Ptolemy	Robertson, W. A.	Walker, Thomas
Lingley, John B.	Ruddock, Noble Junior.	Y
Lamb, Thomas	Ruddock, Noble	Young, Silas
M	Ray, Robert	Younger, George
Maniton, Sampson	Ray, Gilbert T.	Yeates, Alexander

THOS. NISBET, *President.*  
JOHN DUNCAN,  
JOHN WISHART,  
HENRY CHUBB,  
C. D. EVERITT,  
JAMES HOLMAN, } *Directors.*

I, John Kirby, Secretary to the Saint John Mechanics' Whale Fishing Company, do declare that every of the Stockholders in the above list contained, are bona fide British subjects, and that no Foreigner or Alien hath any share or interest in the stock of the said Company.

JOHN KIRBY, *Secretary.*

Declared before me, this 26th day of December, 1837.

H. PORTER, J. P. *for City and County of Saint John.*

## CENTRAL FIRE INSURANCE COMPANY.

**R**ETURN of the state of the Central Fire Insurance Company of New Brunswick, Thursday, 4th January, 1838.

Dr.

To amount of Capital Stock paid in,.....	£10,000	0	0
" Capital Stock not paid in, to be secured by bonds,	40,000	0	0
Carried forward,.....	£50,000	0	0
q†			

# APPENDIX.

<i>Brought forward,</i> .....	£50,000	0	0
<b>Cr.</b>			
By amount of Capital Stock loaned to individuals in promissory notes on interest, payable twelve months after date, with two sureties,.....	£7,972	0	0
“ amount due by Stockholders, mostly secured by Bonds with two sureties,.....	40,000	0	0
		47,972	0 0
Balance due by the Company on Capital Stock,.....		2,028	0 0

## RECEIVED BY THE COMPANY.

Interests on Capital Stock loaned to individuals,.....	£508	15	9
“ on undetermined funds loaned,.....	9	0	0
“ on notes taken for premium,.....	1	4	6
Extra premium received on County Court House and other risks,.....	2	0	6
Balance of undetermined fund, as per last year's return, after deducting contingencies paid to that date,.....	584	16	8
Premium received by the office in Fredericton, since last return, including Policies,.....	£798	0	2½
Premiums received by Agents of the Company, up to 15th December last, 1,513 10 2½			
	2,311	10	5½
		£3,417	7 10½

## PAID BY THE COMPANY.

Amount of losses since last return,.....	£5,489	0	0
Deduct amount saved by paying part before due,.....	47	0	0
	£5,442	0	0
Amount of contingencies paid since last return,.....	289	7	10
Interest paid on money borrowed to assist in paying losses,.....	73	2	3
		£5,804	10 1

## DUE TO THE COMPANY.

Amount loaned out of the undetermined fund, on interest, due twelve months after date of note,.....	£75	0	0
Cash deposited in incorporated Banks of this Province,..	197	4	2
Due by Agents up to 15th December last,.....	106	3	1
Amount of promissory notes taken for premiums,.....	130	1	6
		£508	8 9

## DUE BY THE COMPANY.

For part of Capital Stock called in to assist in paying losses as per statement,.....	£20,258	0	0
Amount of Company's notes in the Bank of Fredericton, for money borrowed to assist in paying losses,.....	850	0	0
Amount of H. Montgomery's claim for damages done to his house, insured in this office, not yet payable,...	25	0	0
Due Duncan Robertson, Agent at Saint John,.....	78	4	9
Due to individuals, say,.....	10	0	0
		£2,991	4 9
Deduct amount due to the Company as per statement,.....		508	8 9
Balance due by the Company, including the amount collected in on the Capital Stock,.....		£2,482	16 0

# APPENDIX.

Aggregate amount of risks taken by Agents of the Company, up to 15th December, 1837,.....	£75,302	0	0
Aggregate amount taken by the office in Fredericton, up to this date,.....	55,925	0	0
	£131,227	0	0

Amount of losses sustained by the Company, since last year's return,.....£5,539 0 0  
Amount of Real Estate owned by the Company—None.  
Surplus profits—None.  
Dividends—None.

York, ss.

William M<sup>c</sup>Beath, of the County aforesaid, Secretary to the Central Fire Insurance Company of New Brunswick, maketh oath and saith, that the above statement is correct to the best of his knowledge and belief.

WM. M<sup>c</sup>BEATH, *Secretary.*

Sworn to at Fredericton, this thirteenth day of January, 1838, before me.

WM. J. BEDELL, J. Peace.

York, ss.

We, Benjamin Wolhaupter, Robert Chestnut, Charles M<sup>c</sup>Pherson, Thomas Stewart, and John S. Coy, being a majority of the Directors of the Central Fire Insurance Company, do certify and make oath, that the books of the said Company indicate the state of facts set forth in the foregoing return, and that we have full confidence in the truth of said statement made by the Secretary of said Company.

B. WOLHAUPTER,  
R. CHESTNUT,  
CHARLES M<sup>c</sup>PERSON,  
THOMAS STEWART,  
JOHN S. COY.

Swon to at Fredericton, this thirteenth day of January, 1838, before me.

WM. J. BEDELL, J. Peace.

## *Names of Stockholders in the Central Fire Insurance Company of New Brunswick, together with amount of Stock owned by each, January, 1838.*

No.	Names.	Shares of £10 owned by each.	No.	Names.	Shares of £10 owned by each.
1.	John Simpson, . . . . .	100	24.	Andrew Payne, . . . . .	20
2.	Benjamin Wolhaupter, . . . . .	60	25.	Charles Rainsford, . . . . .	20
3.	Charles M <sup>c</sup> Pherson, . . . . .	176	26.	Joshua Dunn, . . . . .	10
4.	Asa Coy, (transferred to Thos. Hatheway.)	75	27.	Thomas R. Barker, . . . . .	20
5.	Charles Fisher, . . . . .	136	28.	Thomas Barker, . . . . .	25
6.	Thomas T. Smith, . . . . .	85	29.	Isaac Clarke, . . . . .	50
7.	William Dell Hartt, . . . . .	85	30.	Francis Beverly, . . . . .	20
8.	Spafford Barker, . . . . .	60	31.	Nathaniel Blake, . . . . .	25
9.	Robert Chestnut, . . . . .	85	32.	William Wiley, . . . . .	3
10.	James Willox, . . . . .	20	33.	John L. Marsh, . . . . .	50
11.	James S. Beek, ( <sup>10 shares transferred to</sup> J. Museraux.)	40	34.	Colin Allan, . . . . .	100
12.	James Segee, . . . . .	10	35.	Francis E. Beckwith, . . . . .	100
13.	John Gregory, . . . . .	25	36.	John W. Weldon, . . . . .	25
14.	Robert Fulton, . . . . .	20	37.	George Hartt, . . . . .	50
15.	Oliver Smith, . . . . .	50	38.	John A. Beckwith, . . . . .	50
16.	John Saunders, . . . . .	50	39.	Joseph Gaynor, . . . . .	20
17.	Wm. E. Perley, . . . . .	10	40.	Charles Perley, . . . . .	50
18.	John Harding, . . . . .	20	41.	Lewis Huestis, . . . . .	25
19.	J. M. Connell, . . . . .	50	42.	Charles H. Segee, . . . . .	5
20.	Charles Connell, Jun. . . . .	50	43.	Abraham T. Coburn, . . . . .	20
21.	John S. Coy, . . . . .	43	44.	Wm. V. Segee, . . . . .	10
22.	Henry G. Clopper, . . . . .	50	45.	Thomas Bowden, . . . . .	20
23.	Amasa Coy, . . . . .	50	46.	Thomas Gardiner, . . . . .	10



# APPENDIX.

No.	Names.	Shares of £10 owned by each.	No.	Names.	Shares of £10 owned by each.
47.	Thomas Pickard, . . . . .	25	86.	Hugh Ferguson, . . . . .	25
48.	Henry Fisher, Jun. . . . .	86	87.	William Abrams, . . . . .	35
49.	George F. S. Berton, . . . . .	25	88.	Thomas H. Peters, . . . . .	50
50.	Samuel D. M'Pherson, . . . . .	10	89.	John Harley, . . . . .	10
51.	William M'Lean, . . . . .	20	90.	Alexander Rankin, . . . . .	100
52.	John T. Smith, . . . . .	25	91.	Michael Samuel, . . . . .	30
53.	David Currier, . . . . .	10	92.	John A. Street, . . . . .	75
54.	Thomas Stewart, . . . . .	37	93.	George Kerr, . . . . .	25
55.	A. J. Caverhill, . . . . .	5	94.	Robert Woods, . . . . .	15
56.	J. & H. Kinnear, . . . . .	100	95.	Rev. Doctor Somerville, . . . . .	100
57.	Hugh M'Kay, . . . . .	100	96.	Thomas Bradley, . . . . .	10
58.	James Whitney, . . . . .	25	97.	Samuel Akerley, . . . . .	50
59.	William Hutchinson, . . . . .	25	98.	Richard Staples, . . . . .	20
60.	William A. Robertson, . . . . .	10	99.	Thomas Nisbet, Jun. . . . .	10
61.	Gilbert T. Ray, . . . . .	50	100.	Solomon Parent, . . . . .	2
62.	Thomas Nisbet, . . . . .	10	101.	David Parent, . . . . .	2
63.	John Hawes, . . . . .	25	102.	William Delap, . . . . .	10
64.	William M'Cannon, . . . . .	150	103.	Benjamin S. Taylor, . . . . .	10
65.	John Walker, . . . . .	50	104.	George Sutherland, . . . . .	20
66.	Alex. Balloch, . . . . .	50	105.	Jonathan P. Taylor, . . . . .	10
67.	Wm. Peters, . . . . .	50	106.	Isaac W. Jouett, . . . . .	10
68.	Maria G. Fisher, . . . . .	10	107.	Nehemiah Merritt, (transferred to T. C. & C. D. Everitt.)	100
69.	George Sears, . . . . .	50	108.	William Scovil, . . . . .	50
70.	Edward W. Sears, . . . . .	50	109.	Leveret Bradley, . . . . .	30
71.	J. W. M. Irish, . . . . .	70	110.	Martha Strang or Strachn, . . . . .	15
72.	Thomas M'Mackin, . . . . .	50	111.	Harris Hatch, . . . . .	30
73.	Charles D. Everitt, . . . . .	50	112.	J. M'Master, . . . . .	30
74.	John R. Heals, . . . . .	50	113.	G. & J. Hobbs, . . . . .	30
75.	Henry Blakslee, . . . . .	25	114.	Richard Blackstock, . . . . .	35
76.	John Robertson, . . . . .	150	115.	Enoch Barker, . . . . .	20
77.	D. J. M'Laughlin, . . . . .	100	116.	James Johnston, . . . . .	20
78.	Thomas S. Easty, . . . . .	25	117.	George A. Munro, . . . . .	10
79.	Peter Duff, . . . . .	50	118.	James Bowes, . . . . .	25
80.	Robert Rankin, . . . . .	50	119.	F. W. Hatheway, . . . . .	35
81.	David J. Merritt, . . . . .	50	120.	Robert Sutherland, . . . . .	10
82.	Thomas C. Everitt. . . . .	50	121.	Archibald M'Lean, . . . . .	10
83.	James Boyd, . . . . .	25	122.	W. J. Berton, . . . . .	25
84.	John Wright, . . . . .	50	123.	George E. Ketchum, . . . . .	20
85.	Charles J. Peters, Jun. . . . .	20			

York. ss.

William M'Beath, of the County aforesaid, Secretary to the Central Fire Insurance Company of New Brunswick, maketh oath and saith, that the foregoing list of Stockholders in said Company, with the amount of Stock owned by each, is correct, to the best of his knowledge and belief.

WM. M'BEATH, *Secretary.*

Sworn to at Fredericton, this thirteenth day of January, 1838, before me.

WM. J. BEDELL, *J. Peace*

## MARINE ASSURANCE COMPANY.

**R**ETURN, exhibiting the aggregate amount of Risks taken by the New Brunswick Marine Assurance Company, the Premiums thereon, the amount of Policies cancelled, and return Premiums, the amount of Risks determined and Premium earnt, the sum now at risk, and amount of Premium falling due, with amount of losses sustained since commencing business in July last.

	<i>Risks.</i>	<i>Premiums.</i>
Aggregate amount of Risks taken, and the Premium thereon,.....	£280,557 10 0	£15,128 15 3

# APPENDIX.

	<i>Risks.</i>			<i>Premiums.</i>		
Amount of Policies cancelled, and return Premiums,	£9,750	0	0	£780	13	0
“ of Risks determined and Premium earnt,	106,451	10	0	3,107	8	6
“ now at risk and Premiums falling due,....	164,356	0	0	11,240	13	9
	£280,557	10	0	£15,128	15	3

Amount of losses sustained,.....£4,587 19 11

Saint John, 4th January, 1838.

A. JACK, *Secretary.*

Return, exhibiting amount of Stock in the New Brunswick Marine Assurance Company actually paid in, and how the same has been invested and secured.

20 per cent. of £50,000 paid in,.....	£10,000	0	0
Deposited in the Commercial Bank of New Brunswick, on interest,.....	£5,000	0	0
Invested in bonds of the Mayor and Corporation of the City of Saint John,.....	2,500	0	0
Invested in one hundred Shares of the Capital Stock of the Commercial Bank of New Brunswick,.....	2,500	0	0
	£10,000	0	0

Saint John, 4th January, 1838.

A. JACK, *Secretary.*

Return, exhibiting the manner in which the “residue of the Capital Stock” of the New Brunswick Marine Assurance Company has been secured to the Company.

80 per cent. of £50,000 secured to the Company by bonds of the Stockholders, with sureties satisfactory to the Board of Directors, under Section 5—Act of Incorporation,.....	£40,000	0	0
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Saint John, 4th January, 1838.

A. JACK. *Secretary.*

Adam Jack, of the City of Saint John, Secretary to the New Brunswick Marine Assurance Company, maketh oath and saith, that the foregoing “Returns” of the transactions of the said Company, and of the manner in which the Capital Stock of the said Company has been paid in and secured, are just and true statements of the affairs of the Company, as they existed on the fourth day of the present month, at three o'clock.

A. JACK.

Sworn at the City of Saint John, the 17th day of January, 1838, before

GEO. D. ROBINSON, J. P.

Return, exhibiting the names of persons holding Stock in the New Brunswick Marine Assurance Company, with the number of Shares held by each Stockholder.

<i>Names.</i>	<i>Residence.</i>	<i>Shares.</i>	<i>Names.</i>	<i>Residence.</i>	<i>Shares.</i>
E. D. W. Ratchford,	Saint John,	50	William Carroll,	Saint John,	20
Henry Chubb,	“	20	J. V. Thurgar,	“	20
Daniel Leavitt,	“	10	William Walker,	“	28
Francis Leavitt,	“	10	R. W. Crookshank,	“	30
Thomas Estey,	“	5	Joseph Cunard,	Miramichi,	50
Francis Collins,	“	10	James Rait,	Saint Andrews,	20
E. L. Jarvis,	“	20	Hugh Doherty,	Saint John,	20
Thomas Leavitt,	“	20	Timothy Collins,	“	20
William Leavitt,	“	20	John Ward, Junior,	“	20
Simon Cock,	“	20	Wilham H. Scovil,	“	50
James Kirk,	“	30	James Keator,	“	40
John Hawes,	“	20	E. L. Thorne,	“	20
W. D. Faulke,	“	10	Hugh M'Kay,	“	20

# APPENDIX.

Names.	Residence.	Shares.	Names.	Residence.	Shares.
John Walker,	Saint John,	30	G. H. Starr,	Halifax,	30
John M. Wilmot,	"	20	William Salters,	"	10
Stephen Wiggins,	"	35	W. J. Starr,	"	20
Thomas Nisbet,	"	4	Daniel Starr,	"	10
H. N. H. Lugin,	"	5	William A. Black,	"	20
Jacob Wilson,	"	5	John S. Morris,	"	30
William Ruddock,	"	20	G. C. Whidden,	"	10
Thomas Pettingell,	"	15	John Bazalgette,	"	40
John Robertson,	"	20	Edmund Kenney,	"	20
Duncan Robertson,	"	20	J. H. Anderson,	"	20
C. F. Allison,	Halifax,	20	J. F. Wainwright,	"	10
John Kerr,	Saint John,	20	John E. Starr,	"	20
John Rodger,	Saint Andrews,	5	Allan M'Lean,	Saint Martin's,	8
F. A. Wiggins,	Saint John,	35	Joseph Sulis,	Saint John,	25
Samuel Gould,	"	20	Robert Summers,	"	20
William Jarvis,	"	30	Robert Rankin,	"	10
John Hammond,	"	20	William Hughson,	"	20
John Duncan,	"	20	A. M. Uniacke,	Halifax,	20
James E. M'Donald,	"	10	C. W. Wallace,	"	10
George Bond,	"	5	J. B. Uniacke,	"	30
John Wishart,	"	40	W. F. Black,	"	10
Thomas Paddock,	"	5	J. J. Sawyer,	"	20
D. J. M'Laughlin,	"	10	Charles H. Wallace,	"	10
James Whitney,	"	20	J. E. W. Inglis,	"	6
R. L. Hazen,	"	10	Eliza Inglis,	"	4
Neville Parker,	"	20	John J. Marshall,	"	18
J. W. Smith,	"	10	Charles Twining,	"	5
William Parks,	"	10	J. F. Wheeler,	Saint John,	20
Joseph Allison,	Halifax,	12	J. W. M. Irish,	"	10
James Moran,	Quaco,	10	James Ratchford,	Parrsbro,	20
Joseph Fairweather,	Saint John,	40	Scott Tremain,	Halifax,	12
Charles D. Everitt,	"	20	A. F. Ratchford,	Saint John,	8
Joseph Starr,	Halifax,	30	W. S. More,	Halifax,	10
David Starr,	"	30	J. H. Hartt,	Saint John,	20
John Duffus,	"	20	Edwin Ketchum,	"	10
William Murdoch,	"	20	E. Barlow, Junior,	"	20
Enos Collins,	"	80	Thomas Barlow,	"	40
J. L. Starr,	"	20	Richard Tremain, Jun.	Halifax,	5

Two thousand Shares, held by one hundred and two Stockholders.

Adam Jack, of the City of Saint John, Secretary to the New Brunswick Marine Assurance Company, maketh oath and saith, that the foregoing "return" of the names of Stockholders in the said Company, with the number of Shares held by each, is a just and true statement as indicated by the books of the Company.

A. JACK.

Sworn at the City of Saint John, the 17th day of January, 1838, before

GEO. D. ROBINSON, J. P.

We the undersigned, Directors of the New Brunswick Marine Assurance Company, do severally make oath that the foregoing "returns" of the affairs of the said Company, and the "return" of names of Stockholders in the Company, as made up and attested by the Secretary, are substantially correct; that the books of the Company indicate the state of facts there set forth, and that we have full confidence in the truth of the said statements.

J. KIRK, *President.*

W. WALKER,  
W. LEAVITT,  
E. D. W. RATCHFORD,  
JOHN V. THURGAR,  
HENRY CHUBB,

*Directors.*

Sworn before me, the 17th day of January, 1838.

GEO. D. ROBINSON, J. P.

**No. 2.**

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**RETURNS OF ASSESSMENTS**  
FOR  
**POOR RATES.**

---

**SAINT JOHN.**

**R**ETURN of Assessments made on the several Parishes in the City and County of Saint John, for the support of Poor, A. D. 1836.

MARCH SESSIONS.—City of Saint John—Fourteen hundred pounds.

— — Parish of Portland—Four hundred and fifty pounds.

— — “ Lancaster—Forty pounds.

JUNE SESSIONS.—Parish of Saint Martins—Twenty pounds.

DECEMBER SESSIONS.—City of Saint John, (second assessment)—Fourteen hundred pounds.

JAS. PETERS, JUN., *Clerk of the  
Peace, Saint John.*

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**YORK COUNTY.**

**A** Return of the amount of Assessments made for the support of the Poor in the several Parishes in the County of York, for the year 1836.

For the Parish of Fredericton—Three hundred pounds.

“ “ Saint Mary's—Fifty pounds.

“ “ Douglas—Sixty pounds.

“ “ Kingsclear—Fifty pounds.

“ “ Southampton—Thirty five pounds.

H. G. CLOPPER, *Clerk of the Peace.*

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York General Sessions, January Term, 1836.

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**CHARLOTTE.**

**A** Return of the amount of Assessment made for the support of the Poor in the several Parishes in the County of Charlotte, for the year 1836.

Parish of Saint Patrick,	£25	0	0
“ West Isles,	40	0	0
“ Saint David,	40	0	0
“ Penfield,	20	0	0
“ Grand Manan,	0	0	0
“ Saint Andrews,	75	0	0
“ Saint Stephen,	75	0	0
“ Campobello,	20	0	0
“ Saint George,	150	0	0
“ Saint James,	0	0	0

Total, .....£445 0 0

## APPENDIX.

*Charlotte, ss.*

I hereby certify that the above is a true and faithful copy of the assessment made for the year one thousand eight hundred and thirty six, as appears from the different orders passed in General Sessions of the Peace for that year.

H. HATCH, *Clerk of the Peace for Charlotte.*

### KING'S COUNTY.

**A** Return of the amount of Assessments made for the support of the Poor in the several Parishes of King's County, for the year 1836.

Parish of Springfield,.....	£7	7	6
" Westfield,.....	17	8	0
" Kingston,.....	122	11	9
" Norton,.....	10	0	0
" Sussex,.....	102	0	0
" Greenwich,.....	5	2	6
Total amount assessed,.....	£264	9	6

E. B. SMITH, *Clerk of the Peace for  
King's County.*

### QUEEN'S COUNTY.

**R**ETURN of Warrants of Assessment for the support of the Poor, issued in the several Parishes in the County of Queen's, in 1836, made pursuant to the command of His Excellency the Lieutenant Governor.

JANUARY SESSIONS, 1836.—Parish of Hampstead,.....	£65	0	0
— " Waterborough,.....	50	0	0
— " Wickham,.....	40	0	0
— " Chipman,.....	20	0	0
— " Gage Town,.....	20	0	0
JUNE SESSIONS, 1836.—Parish of Canning,.....	50	0	0
Total,.....	£245	0	0

T. R. WETMORE, *Clerk of the Peace.*

Clerk's Office, Queen's County, 20th July, 1837,

### SUNBURY COUNTY.

**T**HE following is a return of the amount of Assessments made for the support of the Poor in the several Parishes in the County of Sunbury, for the year 1836.

For the Parish of Burton,.....	£13	4	8
" " Maugerville,.....	26	5	7
" " Sheffield,.....	32	3	7
" " Lincoln,.....	9	15	0
" " Blissville,.....	11	17	2
	£93	6	0

G. J. DIBBLEE, *Act. Clerk Sunbury County.*

### WESTMORLAND.

**R**ETURN of the amount of Assessment made for the support of the Poor in the several Parishes in the County of Westmorland, for the year 1836.

## APPENDIX.

Parish of Hopewell,.....	£62	7	7
“     Dorchester,.....	47	16	6
“     Westmorland,.....	49	19	7
“     Sackville,.....	22	8	1
“     Shediac,.....	5	12	10½
“     Botsford,.....	0	0	0
“     Monckton,.....	0	0	0
“     Salisbury,.....	0	0	0
“     Coverdale,.....	0	0	0
“     Hillsborough,.....	0	0	0
Total,.....	£188	4	7½

E. B. CHANDLER, *Clerk of the Peace, &c.*  
County Westmorland.

### NORTHUMBERLAND.

**R** EPORT of Warrants of Assesment, ordered by the General Sessions of the Peace for the County of Westmorland, and directed to be levied for support of the Poor in the respective Parishes of the said County hereinafter mentioned, in the year 1836.

Parish of Newcastle,.....	£250	0	0
“     Chatham,.....	200	0	0
“     Nelson,.....	100	0	0
“     Northesk,.....	60	0	0
“     Blackville,.....	40	0	0
“     Blissfield,.....	14	5	0
	£664	5	0

THOS. H. PETERS, *Clerk of the Peace*  
for the County Northumberland.

### CARLETON.

**R** ETURN of Assessments made and levied in the several Parishes of the County of Carleton, for the support of the Poor of the same respectively, in the year one thousand eight hundred and thirty six.

Parish of Woodstock,.....	£100	0	0
“     Northampton,.....	36	0	0
“     Brighton,.....	31	0	0
“     Wicklow,.....	36	0	0
“     Perth,.....	7	0	0
“     Kent,.....	15	0	0
Total,.....	£225	0	0

A. K. SMEDES WETMORE,  
*Clerk of the Peace.*

### KENT.

**R** ETURN of amount of Assessments, ordered by the Kent Sessions of the Peace, during the year 1836.

JANUARY TERM, 1836.—Parish of Richibucto,.....	£80	0	0
—     —     “     Weldford,.....	0	0	0
—     —     “     Wellington,.....	25	0	0
—     —     “     Dundas,.....	25	0	0
—     —     “     Carleton,.....	21	10	0

Carried forward,.....£151 10 0  
s†

## APPENDIX.

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	<i>Brought forward</i> ,.....	£151	10	0
JUNE TERM, 1836.—	Parish of Richibucto,.....	50	0	0
— — — — —	“ Weldford,.....	60	0	0
	Total,.....	£261	10	0

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J. W. WELDON, *Clerk Sessions &c.*  
*County of Kent.*

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## GLOUCESTER.

**R**ETURN of Assessments made on the several Parishes in the County of Gloucester in 1836, for the support of the Poor.

Parish of Eldon, no Settlers.

- “ Addington, no assessment.
- “ Beresford, no assessment.
- “ Bathurst, one hundred pounds.
- “ New Bandon, no assessment,
- “ Carraquet, no assessment,
- “ Saumarez, no assessment,

WILLIAM END, *Clerk of the Peace.*

August 4, 1837.

**No. 3.**

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**RETURN FROM CROWN LAND OFFICE**

OF

**FIVE YEAR LICENCES**

TO CUT

**TIMBER AND LOGS, &c. &c. &c.**

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**R**ETURN to an Address from the House of Assembly to His Excellency the Lieutenant Governor, dated the 14th of July, 1837, requiring “a list of all five year Licences to cut Timber and Logs, the persons to whom the same were granted, and where situated, the date of application, the time when the Licences issued, and the period when the same expire, the conditions under which the same were granted, the names of the obligors in the bonds given for the payment of the duties ; also the extent of Reserves granted for Mills in the Province, the persons to whom the same were granted, and where the same are situated, the time when the applications for such reserves were made, and when complied with, the conditions under which the same were granted, the period such reserves are to be held, and whether any and what quantity of Timber and Logs are to be annually cut on the said five year Licences and Reserves ; and also if any preference money was paid upon the said five year Licences and Mill Reserves ; and also the number and names of applicants for such Licences and Mill Reserves which were complied with, and have since been abandoned or relinquished, and whether any and what sums of money were paid upon such applications respectively.

No.	Preference money or mileage.	Total amount paid to 25th December, 1837.
1. S. L. Blake, Charlotte, eight square miles. Licence issued 13th July, 1835, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1840. Surety—Thos. Davis.	£8 0 0	£16 15 0
2. Asa Dow, York, six square miles. Licence issued 21st July, 1835, for five years. Stipulated to cut 300 tons Timber annually. Expires 30th April, 1840. Surety—W. J. Bedell.	6 0 0	51 0 0
3. F. Ferguson, Gloucester, sixteen square miles. Licence issued 17th July, 1835, for five years. Stipulated to cut 500 tons Timber annually. Expires 30th April, 1840. Surety—John Fraser.	16 0 0	91 0 0
<i>Carried forward,</i> .....	£30 0 0	£158 15 0



# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 25th December, 1837.
	<i>Brought forward</i> ,.....	£30 0 0	£158 15 0
4.	D. Barber, Charlotte, eleven square miles. Licence issued 3d July, 1835, for five years. Stipulated to cut 200 M. Lumber annually. Cancelled.	11 0 0	19 15 0
5.	J. Tibbetts', Carleton, nine and $\frac{1}{4}$ square miles. Licence issued 31st July, 1835, for five years. Stipulated to cut 200 M. Lumber annually. Expires 30th April, 1840. Surety—James Taylor.	9 5 0	9 5 0
6.	J. Allanshaw & Co., York, four square miles. Licence issued 1st August, 1835, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1840. Surety—John M'Master.	4 0 0	30 5 0
7.	J. Allanshaw & Co., York, four square miles. Licence issued 3d August, 1835, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1840. Surety—J. Allanshaw.	4 0 0	19 15 0
8.	D. Barber, York, five square miles. Licence issued 7th August, 1835, for five years. Stipulated to cut 200 M. Lumber annually. Expires 30th April, 1840. Surety—John L. Lovejoy.	5 0 0	57 10 0
9.	J. D. Berton, Carleton, twelve square miles. Licence issued 2d September, 1835, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1840. Surety—Thomas Stewart.	12 0 0	12 0 0
10.	B. Glazier, York, nine square miles. Licence issued 3d September, 1835, for five years. Stipulated to cut 300 M. Lumber annually. Expires 30th April, 1840. Surety—Jedediah Slason.	9 0 0	87 15 0
11.	A. G. Foster, York, six square miles. Licence issued 5th September, 1835, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1840. Surety—D. Barber.	6 0 0	32 5 0
12.	D. T. Currie, Sunbury, seven square miles. Licence issued 12th September, 1835, for ten years. Stipulated to cut 50 M. Lumber annually. Expires 30th April, 1845. Surety—Thos. Currie. (Auction.)	5 0 0	18 2 6
13.	J. M. Connell, Carleton, four and $\frac{1}{4}$ square miles. Licence issued 12th September, 1835, for ten years. Stipulated to cut 150 M. Lumber annually. Expires 30th April, 1845. Surety—Charles Connell. (Auction.)	4 10 0	43 17 6
14.	D. Barber, York, three square miles. Licence issued 26th September, 1835, for five years. Stipulated to cut 150 tons Timber annually.		
	<i>Carried forward</i> ,.....	£99 15 0	£489 5 0

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£99 15 0	£489 5 0
	Expires 30th April, 1840. Surety—Robert Watson.	3 0 0	25 10 0
15.	W. Todd, Junior, Charlotte, nine square miles. Licence issued 3d October, 1835, for five years. Stipulated to cut 200 M. Lumber annually. Expires 30th April, 1840. Surety—John M'Allister.	9 0 0	61 10 0
16.	Daniel Hill, York, three square miles. Licence issued 6th November, 1835, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1840. Surety—William Todd, Junior.	3 0 0	5 12 6
17.	J. M'Allister, Charlotte, nine square miles. Licence issued 6th November, 1836, for five years. Stipulated to cut 180 M. Lumber annually. Expires 30th April, 1840. Surety—William Todd, Junior.	9 0 0	40 10 0
18.	Thomas Bowser, York, five square miles. Licence issued 23d October, 1835, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1840. Surety—William Todd, Junior.	5 0 0	26 0 0
19.	William Porter, York, four and $\frac{1}{2}$ square miles. Licence issued 4th November, 1835, for five years. Stipulated to cut 90 M. Lumber annually. Expires 30th April, 1840. Sureties—J. & G. M. Porter.	4 0 0	29 12 6
20.	William Porter, York, three and $\frac{1}{2}$ square miles. Licence issued 8th November, 1835, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1840. Surety—G. M. Porter.	3 10 0	19 5 0
21.	N. Lindsay, York, four square miles. Licence issued 20th November, 1835, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1840. Surety—Robert Lindsay.	4 0 0	25 0 0
22.	R. Lindsay, Charlotte, ten square miles. Licence issued 20th November, 1835, for five years. Stipulated to cut 200 M. Lumber annually. Expires 30th April, 1840. Surety—N. Lindsay.	10 0 0	62 10 0
23.	Henry Jones, York, four square miles. Licence issued 14th December, 1835, for five years. Stipulated to cut 160 tons Timber annually. Expires 30th April, 1840. Surety—Jedediah Slason.	4 0 0	40 0 0
24.	Francis Ferguson, Gloucester, twelve square miles. Licence issued 2d January, 1836, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1840. Surety—W. J. Bedell.	12 0 0	84 0 0
	<i>Carried forward</i> ,.....	£166 5 0	£908 15 0

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£166 5 0	£908 15 0
25.	Pat. Clinch, Charlotte, twenty four square miles. Licence issued 7th January, 1836, for five years. Stipulated to cut 480 M. Lumber annually. Expires 30th April, 1840. Surety—Joseph Wetmore.	24 0 0	192 0 0
26.	Patrick Clinch, Charlotte, six square miles. Licence issued 7th January, 1836, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1840. Surety—Joseph Wetmore.	6 0 0	48 0 0
27.	Charles Perley, York, three and $\frac{1}{2}$ square miles. Licence issued 9th January, 1836, for five years. Stipulated to cut 140 tons Timber annually. Expires 30th April, 1840. Surety—William J. Bedell.	3 10 0	24 10 0
28.	D. Phillips, York, three and $\frac{1}{2}$ square miles. Licence issued 11th January, 1836, for five years. Stipulated to cut 140 tons Timber annually. Expires 30th April, 1840. Surety—H. Jones.	1 5 0	32 15 0
29.	G. M. Porter, York, eight square miles. Licence issued 23d January 1836, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1840. Surety—John Porter.	7 0 0	49 0 0
30.	S. H. Hitchings, York, six square miles. Licence issued 3d February, 1836, for five years. Stipulated to cut 130 M. Lumber annually. Expires 30th April, 1840. Surety—James Spence.	6 0 0	39 7 6
31.	James Tibbetts, Carleton, twelve square miles. Licence issued 8th February, 1836, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1840. Surety—T. P. Shaw.	12 0 0	89 0 0
32.	John Porter, York, seven and $\frac{1}{2}$ square miles. Licence issued 29th January, 1836, for five years. Stipulated to cut 150 M. Lumber annually. Expires 30th April, 1840. Surety—G. M. Porter.	7 0 0	46 7 6
33.	J. L. Marsh, Carleton, twelve square miles. Licence issued 11th February, 1836, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1840. Surety—F. E. Beckwith.	12 0 0	84 0 0
34.	James Balloch, Carleton, four square miles. Licence issued 14th March, 1836, for five years. Stipulated to cut 160 tons Timber annually. Expires 30th April, 1840. Surety—James Taylor.	4 0 0	28 0 0
35.	D. Phillips, Carleton, eight square miles. Licence issued 26th February, 1836, for five years.		
	<i>Carried forward</i> ,.....	£249 0 0	£1,541 15 0

# APPENDIX.

No.		Preference money	Total amount paid to		
		or mileage.	21st December, 1837.		
	<i>Brought forward</i> ,.....	£249 0 0	£1,541 15 0		
	Stipulated to cut 320 tons Timber annually. Expires 30th April, 1840. Surety—H. Jones.	8 0 0	72 0 0		
36.	John Porter, York, two and $\frac{1}{2}$ square miles. Licence issued 19th March, 1836, for five years. Stipulated to cut 50 M. Lumber annually. Expires 30th April, 1840. Surety—G. M. Porter.	2 10 0	16 2 6		
37.	B. P. Griffiths, York, ten square miles. Licence issued 29th March, 1836, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1840. Surety—S. L. Gates.	10 0 0	30 0 0		
38.	Jas. Balloch, Carleton, three and $\frac{1}{2}$ square miles. Licence issued 3d May, 1836, for five years. Stipulated to cut 140 tons Timber annually. Expires 30th April, 1841. Surety—F. E. Beckwith.	3 10 0	10 10 0		
39.	D. Barber, York, thirty eight square miles. Licence issued 2d May, 1836, for five years. Stipulated to cut 1500 tons Timber annually. Expires 30th April, 1841. Surety—John L. Lovejoy.	38 0 0	113 0 0		
40.	M. H. Perley, Saint John, fifteen square miles. Licence issued 2d May, 1836, for five years. Stipulated to cut 300 M. Lumber annually. Cancelled.	15 0 0	41 5 0		
41.	H. Edgett, Saint John, three square miles. Licence issued 13th May, 1836, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—W. J. Bedell.	3 0 0	8 5 0		
42.	J. Allanshaw & Co., York, thirty five square miles. Licence issued 2d May, 1836, for five years. Stipulated to cut 700 M. Lumber annually. Expires 30th April, 1841. Surety—James Douglas.	35 0 0	96 5 0		
43.	John Maxwell, York, four square miles. Licence issued 2d May, 1836, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1841. Surety—B. F. Wait.	4 0 0	21 0 0		
44.	G. M. Porter, York, one and $\frac{1}{2}$ square miles. Licence issued 29th March, 1836, for five years. Stipulated to cut 35 M. Lumber annually. Expires 30th April, 1841. Surety—John Porter.	1 15 0	4 16 3		
45.	A. S. Carman, Carleton, six square miles. Licence issued 20th May, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 20th April, 1841. Surety—no bond.	6 0 0	18 0 0		
	<i>Carried forward</i> ,.....	£375 15 0	£1,972 18 9		

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1897.
	<i>Brought forward,</i> .....	£375 15 0	£1,972 18 9
46.	R. Ketchum, Carleton, fourteen and $\frac{1}{2}$ square miles. Licence issued 16th June, 1836, for five years. Stipulated to cut 580 tons Timber annually. Cancelled.	14 10 0	14 10 0
47.	John Bailey, York, five square miles. Licence issued 12th February, 1836, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1840. Surety—B. Wolhaupter.	5 0 0	22 10 0
48.	S. P. Estabrook, Kent, five square miles. Licence issued 14th March, 1837, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. Surety—J. F. Estabrook.	5 0 0	5 0 0
49.	P. Watson, York, four and $\frac{1}{2}$ square miles. Licence issued 10th May, 1836, for five years. Stipulated to cut 180 tons Timber annually. Expires 30th April, 1840. Surety—P. Watson.	4 10 0	9 0 0
50.	J. A. Phillips, Carleton, eight square miles. Licence issued 23d June, 1836, for five years. Stipulated to cut 320 tons Timber annually. Expires 30th April, 1841. Surety—M. Lavine.	8 0 0	24 0 0
51.	J. A. Phillips, Carleton, twelve square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—M. Lavine.	12 0 0	36 0 0
52.	J. A. Phillips, Carleton, nine square miles. Licence issued 20th June, 1836, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1841. Surety—M. Lavine.	9 0 0	27 0 0
53.	W. J. Bedell, Carleton, ten square miles. Licence issued 21st June, 1836, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1841. Surety—G. E. Ketchum.	10 0 0	30 0 0
54.	James Gilmore, Sunbury, three square miles. Licence issued 24th June, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—H. Estabrook.	3 0 0	6 0 0
55.	Joseph Wilson, Charlotte, three square miles. Licence issued 25th June, 1836, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—J. E. Messinett.	3 0 0	8 5 0
56.	Joseph Wilson, Sunbury, three square miles. Licence issued 25th June, 1836, for five years. Stipulated to cut 60 M. Lumber annually.		
	<i>Carried forward,</i> .....	£449 15 0	£2,155 3 9

# APPENDIX.

No.		Preference money or or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£449 15 0	£2,155 3 9
	Expires 30th April, 1841.		
	Surety—J. E. Messinett.	3 0 0	8 5 0
57.	J. C. Allan, York, three square miles.		
	Licence issued 2d May, 1836, for five years.		
	Stipulated to cut 120 tons Timber annually.		
	Expires 30th April, 1841.		
	Surety—John Taylor.	3 0 0	9 0 0
58.	W. J. Bedell, Carleton, twenty six and $\frac{1}{2}$ square miles.		
	Licence issued 30th July, 1836, for five years.		
	Stipulated to cut 1040 tons Timber annually.		
	Expires 30th April, 1841.		
	No bond.	26 5 0	78 5 0
59.	D. Barber, Charlotte, fifteen square miles.		
	Licence issued 6th July, 1836, for five years.		
	Stipulated to cut 300 M. Lumber annually.		
	Expires 30th April, 1841.		
	Surety—J. Moore.	15 0 0	41 5 0
60.	J. Moore, Charlotte, fifteen square miles.		
	Licence issued 6th July, 1836, for five years.		
	Stipulated to cut 300 M. Lumber annually.		
	Expires 30th April, 1841.		
	Surety—D. Barber.	15 0 0	28 2 6
61.	A. S. Carman, Carleton, twelve square miles.		
	Licence issued 11th July, 1836, for five years.		
	Stipulated to cut 480 tons Timber annually.		
	Expires 30th April, 1841.		
	Surety—A. G. Foster.	12 0 0	36 0 0
62.	A. G. Foster, York, five square miles.		
	Licence issued 13th July, 1836, for five years.		
	Stipulated to cut 100 M. Lumber annually.		
	Expires 30th April, 1841.		
	Surety—S. White.	5 0 0	13 15 0
63.	King & Coates, King's, five square miles.		
	Licence issued 2d July, 1836, for five years.		
	Stipulated to cut 110 M. Lumber annually.		
	Expires 30th April, 1841.		
	Surety—L. Coates.	5 0 0	24 5 0
64.	E. Shea, Carleton, fourteen square miles		
	Licence issued 19th July, 1836, for five years.		
	Stipulated to cut 560 tons Timber annually.		
	Expires 30th April, 1841.		
	Surety—C. Connell, Jun.	14 0 0	42 0 0
65.	D. Parent, York, one and $\frac{1}{2}$ square miles.		
	Licence issued 4th March, 1836, for five years.		
	Stipulated to cut 60 tons Timber annually.		
	Expires 30th April, 1841.		
	Surety—Joseph Parent.	1 5 0	2 15 0
66.	A. Crocket, York, three and $\frac{1}{2}$ square miles.		
	Licence issued 12th July, 1836, for five years.		
	Stipulated to cut 70 M. Lumber annually.		
	Expires 30th April, 1841.		
	Surety—John Porter.	3 10 0	9 12 6
	<i>Carried forward</i> ,.....	£552 15 0	£2,448 8 9

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£552 15 0	£2,448 8 9
67.	W. D. Bedell, Carleton, twenty two square miles. Licence issued 22d July, 1836, for five years. Stipulated to cut 880 tons Timber annually. Expires 30th April, 1841. Surety—G. A. Bedell.	22 0 0	66 0 0
68.	Thomas Ferguson, Gloucester, ten square miles. Licence issued 25th July, 1836, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	10 0 0	30 0 0
69.	A. Menzies, Saint John, six square miles. Licence issued 29th July, 1836, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1841. Surety—C. P. Wetmore.	6 0 0	32 5 0
70.	G. M. Porter, York, seven square miles. Licence issued 12th August 1836, for five years. Stipulated to cut 280 tons Timber annually. Expires 30th April, 1841. Surety—John Porter.	6 0 0	20 0 0
71.	Peter Goss, Charlotte, four square miles. Licence issued 20th July, 1836, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1841. Surety—George Eaton.	4 0 0	4 0 0
72.	R. Vodden, Northumberland, four and $\frac{1}{2}$ square miles. Licence issued 25th August, 1836, for five years. Stipulated to cut 90 M. Lumber annually. Canceled.	4 10 0	4 10 0
73.	C. M'Pherson, York, six square miles. Licence issued 1st September, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. Surety—B. Wolhaupter.	6 0 0	12 0 0
74.	George Morrow, Sunbury, three square miles. Licence issued 29th August, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—J. Estabrook.	8 0 0	15 0 0
75.	George Morrow, Sunbury, nine square miles. Licence issued 29th August, 1836, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1841. Surety—J. Esterbrook	9 0 0	45 0 0
76.	James Johnston, Gloucester, five square miles. Licence issued 11th September, 1836, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. Surety—Alexander Rankin.	5 0 0	5 0 0
77.	Jeremiah Tracey, York, four square miles. Licence issued 6th September, 1836, for five years.		
	<i>Carried forward</i> ,.....	£628 5 0	£2,682 3 9

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£528 5 0	£2,628 3 9
	Stipulated to cut 80 M. Lumber annually.		
	Cancelled.	4 0 0	19 0 0
78.	Thomas Nason, York, four square miles. Licence issued 17th September, 1836, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1841. Surety—David Hartt.	4 0 0	18 0 0
79.	Joseph Wilson, Charlotte, one and $\frac{1}{2}$ square miles. Licence issued 1st October, 1836, for five years. Stipulated to cut 30 M. Lumber annually. Expires 30th April, 1841. Surety—J. E. Messinett.	1 10 0	4 2 6
80.	N. Sprague, Northumberland, nine square miles. Licence issued 25th October, 1835, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1841. Surety—James Fish.	9 0 0	27 0 0
81.	N. Gilman, York, four and $\frac{1}{2}$ square miles. Licence issued 31st October, 1836, for five years. Stipulated to cut 180 tons Timber annually. Expires 30th April, 1841. Surety—John F. Taylor.	4 10 0	31 10 0
82.	John Porter, York, nine square miles. Licence issued 7th November, 1836, for five years. Stipulated to cut 180 M. Lumber annually. Expires 30th April, 1841. Surety—G. M. Porter.	9 0 0	24 15 0
83.	James Rait, Carleton, twenty six square miles. Licence issued 20th October, 1836, for fifteen years. Stipulated to cut 1040 tons Timber annually. Expires 30th April, 1851. Surety—John Dobie.	26 0 0	32 0 0
84.	James Rait, Carleton, twenty square miles. Licence issued 21st October, 1836, for fifteen years. Stipulated to cut 800 tons Timber annually. Expires 30th April, 1851. Surety—John Dobie.	20 0 0	40 0 0
85.	D. Smith, York, two square miles. Licence issued 23d February, 1837, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—John Mitchell.	2 0 0	7 5 0
86.	W. M'Kay, York, fifteen square miles. Licence issued 9th May, 1836, for five years. Stipulated to cut 600 tons Timber annually. Expires 30th April, 1841. No bond.	15 0 0	15 0 0
88.	D. Sutter, York, twelve square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—B. Sutter.	12 0 0	12 0 0
	<i>Carried forward</i> ,.....	£735 5 0	£2,878 16 3



# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£735 5 0	£2,878 16 3
91.	Alexander Rankin, Northumberland, seventy and $\frac{1}{2}$ square miles. Licence issued 10th January, 1837, for five years. Stipulated to cut 2820 tons Timber annually. Expires 30th April, 1841. Surety—F. Ferguson.	70 10 0	211 10 0
93.	Alexander Rankin, Northumberland, twenty five square miles. Licence issued 10th January, 1837, for five years. Stipulated to cut 1000 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	8 0 0	75 0 0
94.	Alexander Rankin, Gloucester, eight square miles. Licence issued 23d February, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. Surety—A. Rankin.	25 0 0	8 0 0
95.	Alexander Rankin, Northumberland, eight square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. Surety—A Rankin.	8 0 0	8 0 0
96.	A. Plummer, Northumberland, two square miles. Licence issued 13th June, 1836, for five years. Stipulated to cut 80 tons Timber annually. Expires 30th April, 1841. Surety—J. F. Estabrook.	2 0 0	2 0 0
97.	A. Ritchie, Gloucester, four and $\frac{1}{2}$ square miles Licence issued 24th October, 1836, for five years. Stipulated to cut 180 tons Timber annually. Expires 30th April, 1841, Surety—Robert Ritchie.	4 10 0	13 10 0
98.	A. Ritchie, Gloucester, seven and $\frac{1}{2}$ square miles. Licence issued 24th October, 1836, for five years. Stipulated to cut 350 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	7 10 0	25 0 0
99.	A. Ritchie, Gloucester, three square miles. Licence issued 24th October, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	3 0 0	9 0 0
100.	A. Ritchie, Gloucester, twelve square miles. Licence issued 24th October, 1836, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	12 0 0	36 0 0
101.	J. Mercereau, York, three square miles. Licence issued 22d November, 1836, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—E. Seely.	3 0 0	16 2 6
	<i>Carried forward</i> ,.....	£878 15 0	£3,282 18 9

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward,</i> .....	£878 15 0	£3,282 18 9
102.	B. Tibbets, Carleton, six square miles. Licence issued 22d November, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. No bond.	6 0 0	6 0 0
103.	A. S. Carman, Carleton, three square miles. Licence issued 22d November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. No bond.	3 0 0	9 0 0
104.	John Martin, Westmorland, four square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 160 tons Timber annually. Expires 30th April, 1841. Surety—S. J. Martin.	4 0 0	4 0 0
105.	Robert Kerr, Carleton, three square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. No bond.	3 0 0	3 0 0
106.	Nathaniel Mores, Northumberland, five square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. Surety—John J. Donald.	5 0 0	10 0 0
107.	H. Hayward, Westmorland, three square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—H. Gray.	3 0 0	3 0 0
108.	A. Ritchie, Gloucester, one and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	1 10 0	5 0 0
109.	A. Ritchie, Gloucester, six square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	6 0 0	18 0 0
110.	A. Ritchie, Gloucester, five square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	5 0 0	15 0 0
111.	A. Ritchie, Gloucester, three square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	3 0 0	9 0 0
112.	A. Ritchie, Gloucester, twelve and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years.		
	<i>Carried forward,</i> .....	£918 5 0	£3,364 18 9
	w†		

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£918 5 0	£3,364 18 9
	Stipulated to cut 500 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	12 0 0	37 0 0
113.	A. Ritchie, Gloucester, twelve and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 500 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	12 0 0	37 0 0
114.	A. Ritchie, six and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 250 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	6 5 0	18 15 0
115.	A. Ritchie, Gloucester, four and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 180 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	4 10 0	13 10 0
116.	A. Ritchie, Gloucester, nine square miles. License issued 28th November, 1836, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	9 0 0	27 0 0
117.	A. Ritchie, Gloucester, three square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	3 0 0	9 0 0
118.	A. Ritchie, Gloucester, three square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	3 0 0	9 0 0
119.	A. Ritchie, Gloucester, three square miles. Licence issued 28th November 1836, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	3 0 0	9 0 0
120.	A. Ritchie, Gloucester, fifteen square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 600 tons Timber annually. Expires 30th April, 1841. Surety—Robert Ritchie.	15 0 0	45 0 0
121.	H. Ramsay, Gloucester, one and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 50 tons Timber annually. Expires 30th April, 1841. Surety—A. Ramsay.	1 5 0	1 5 0
122.	Asa Dow, York, two and $\frac{1}{2}$ square miles. Licence issued 28th November, 1836, for five years. Stipulated to cut 100 tons Timber annually.		
	<i>Carried forward</i> ,.....	£987 5 0	£3,571 8 9

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£987 5 0	£3,571 8 9
	Expires 30th April, 1841.		
	No bond.	2 10 0	2 10 0
123.	P. Stewart, Gloucester, eight square miles. Licence issued 28th December, 1836, for five years. Stipulated to cut 320 tons Timber annually. Expires 30th April, 1841. Surety—J. F. Gordon.	8 0 0	8 0 0
124.	J. G. Woodward, Sunbury, twelve square miles. Licence issued 29th November, 1836, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—James Taylor.	12 0 0	36 0 0
125.	Robert Kerr, Carleton, three square miles. Licence issued 29th November, 1837, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. No bond.	3 0 0	3 0 0
126.	B. Tibbets, Carleton, four square miles. Licence issued 29th November, 1836, for five years. Stipulated to cut 170 tons Timber annually. Expires 30th April, 1841. No bond.	4 0 0	4 0 0
128.	J. H. Bartlett, Charlotte, sixteen square miles. Licence issued 2d December, 1836 for five years. Stipulated to cut 320 M. Lumber annually. Expires 30th April, 1841. Surety—William Walker.	16 0 0	30 0 0
129.	James Rait, Carleton, eight square miles. Licence issued 3d December, 1836, for five years. Stipulated to cut 320 tons Timber annually. Expires 30th April, 1841. Surety—James Dobie.	8 0 0	16 0 0
130	Thomas Hartt, York, two square miles. Licence issued 30th September, 1836, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—Thos. Nason.	2 0 0	16 2 6
131.	W. J. Bedell, Carleton, ten square miles. Licence issued 13th December 1836, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1841. Surety—G. E. Ketchum.	10 0 0	30 0 0
132.	J. Montgomery, Gloucester, twenty one square miles. Licence issued 16th December, 1836, for five years. Stipulated to cut 840 tons Timber annually. Expires 30th April, 1841. Surety—W. S. Smith.	21 0 0	21 0 0
133.	Alexander Boon, Sunbury, one and $\frac{1}{2}$ square miles. Licence issued 16th December, 1836, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1841. No bond.	1 10 0	1 10 0
	<i>Carried forward</i> ,.....	£1,075 5 0	£3,739 11 3

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,075 5 0	£3,739 11 3
134.	P. Sutherland, Gloucester, six square miles. Licence issued 16th December, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. No bond.	6 0 0	18 0 0
135.	M. Samuel, Gloucester, six square miles. Licence issued 16th December, 1836, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. Surety—P. M'Dougal.	6 0 0	6 0 0
136.	Joseph Cunard, Northumberland, 150 square miles. Licence issued 19th December, 1836, for five years. Stipulated to cut 6000 tons Timber annually. Expires 30th April, 1841. Surety—B. Wolhaupter.	0 0 0	300 0 0
137.	Jas. Allanshaw, Charlotte, thirty one square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 620 M. Lumber annually. Expires 30th April, 1841. Surety—J. Allanshaw.	31 0 0	85 5 0
138.	John M'Kean, Charlotte, thirteen square miles.* Licence issued 4th October 1836, for five years. Stipulated to cut 260 M. Lumber annually. Expires 30th April, 1841. No bond.	13 0 0	24 7 6
139.	S. L. Blake, Charlotte, eight square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. Surety—J. W. Gilmore.	8 0 0	15 0 0
140.	J. M'Nichol, Charlotte, eight square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. No bond.	8 0 0	15 0 0
141.	John Wilson, Charlotte, twenty three square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 460 M. Lumber annually. Expires 30th April, 1841. Surety—J. Wilson.	23 0 0	43 2 6
142.	J. Knight, Charlotte, five square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1841. Surety—Gideon Knight.	5 0 0	9 7 6
143.	H. Seely, Charlotte, three and ¼ square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 70 M. Lumber annually. Expires 30th April, 1841. Surety—W. C. Pendleton.	3 10 0	12 5 0
144.	W. C. Pendleton, Charlotte, six square miles.* Licence issued 4th October, 1836, for five years.		
	<i>Carried forward</i> ,.....	£1,178 15 0	£4,267 18 9

\* Sold by auction to Mill owners on the 4th October, 1836.

# APPENDIX.

No.		Preference money or mileage	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,178 15 0	£4,267 18 9
-	Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1840. No bond.	6 0 0	33 5 0
145.	D. Millican, Charlotte, nine and $\frac{1}{2}$ square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 185 M. Lumber annually. Expires 30th April, 1841. No bond.	9 5 0	17 6 10 $\frac{1}{2}$
146.	P. Seely, Charlotte, seven square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 140 M. Lumber annually. Expires 30th April, 1841. Surety—Robert Sparks.	7 0 0	20 5 0
147.	William Curry, Charlotte, two square miles.* Licence issued 4th October, 1836, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1841. Surety—James Pratt, Junior.	2 0 0	5 10 0
148.	N. D. Shaw, Charlotte, forty three and $\frac{1}{2}$ square miles.* Licence issued 29th November, 1836, for five years. Stipulated to cut 870 M. Lumber annually. Expires 30th April, 1841. No bond.	43 10 0	216 12 0
149.	P. Williston, Gloucester, thirty four square miles. Licence issued 24th December, 1836, for five years. Stipulated to cut 1360 tons Timber annually. Expires 30th April, 1841. No bond.	0 0 0	68 0 0
150.	Jared Tozer, Northumberland, three square miles. Licence issued 28th December, 1836, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. $\Delta$ No bond.	3 0 0	8 5 0
151.	R. Tracey, York, two and $\frac{1}{2}$ square miles. Licence issued 6th January, 1837, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—B. Wall.	2 10 0	18 15 0
152.	Charles DeWitt, York, three square miles. Licence issued 7th January, 1837, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—W. Scoullar.	3 0 0	3 0 0
153.	James Rait, Saint John, fourteen square miles.* Licence issued 10th February, 1837, for five years. Stipulated to cut 285 M. Lumber annually. Expires 30th April, 1841. No bond.	14 0 0	14 0 0
154.	Joseph Cunard, Kent, twenty five square miles. Licence issued 13th January, 1837, for five years. Stipulated to cut 1000 tons Timber annually.		

*Carried forward*,.....£1,269 0 0 £4,672 17 7 $\frac{1}{2}$

\* Sold by auction to Mill owners on the 4th October, 1836.

# APPENDIX.

No.		Preference money or mileage.		Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,269	0 0	£4,672 17 7½
	Expires 30th April, 1841.			
	No bond.	25	0 0	25 0 0
155.	George Williston, Gloucester, forty square miles. Licence issued 13th January, 1837, for five years. Stipulated to cut 1600 tons Timber annually. Expires 30th April, 1841. No bond.	0	0 0	.80 0 0
156.	James Ledden, Northumberland, two and ½ square miles. Licence issued 13th January, 1837, for five years. Stipulated to cut 100 tons Timber annually. Expires 30th April, 1841. No bond.	0	0 0	5 0 0
157.	R. Ducett, Gloucester, six square miles. Licence issued 13th January, 1837, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. No bond.	0	0 0	12 0 0
158.	Joseph Cunard, Kent, fifteen square miles. Licence issued 13th January 1836, for five years. Stipulated to cut 600 tons Timber annually. Expires 20th April, 1841. No bond	15	0 0	45 0 0
159.	Henry Cunard, Kent, twenty four square miles. Licence issued 13th January, 1837, for five years. Stipulated to cut 960 tons Timber annually. Expires 30th April, 1841. No bond.	0	0 0	48 0 0
160.	J. M'Allister, York, five and ½ square miles. Licence issued 13th February, 1837, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1841. Surety—W. Todd, Junior.	5	10 0	14 5 0
161.	Alexander Rankin, Gloucester, eight square miles, Licence issued 18th January, 1837, for five years. Stipulated to cut 320 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	8	0 0	24 0 0
162.	Alexander Rankin, Gloucester, five square miles. Licence issued 18th January, 1837, for five years. Stipulated to cut 220 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	5	0 0	16 0 0
163.	Alexander Rankin, Gloucester, sixteen square miles. Licence issued 18th January, 1837, for five years. Stipulated to cut 640 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	16	0 0	48 0 0
164.	Alexander Rankin, Gloucester, six square miles. Licence issued 18th January, 1837, for five years. Stipulated to cut 240 tons Timber annually.			
	<i>Carried forward</i> ,.....	£1,343	10 0	£4,990 2 7½

# APPENDIX.

No.		Preference money	Total amount paid to		
		or mileage.	21st December, 1837.		
	<i>Brought forward</i> ,.....	£1,343 10 0	£4,990	2	7½
	Expires 30th April, 1841.				
	Surety—A. Rankin.	6 0 0	18	0	0
165.	D. M'Kay, Northumberland, three square miles.				
	Licence issued 18th January, 1837, for five years.				
	Stipulated to cut 120 tons Timber annually.				
	Expires 30th April, 1841.				
	Surety—Francis Ferguson.	3 0 0	3	0	0
166.	H. N. Hill, York, three square miles.				
	Licence issued 18th January, 1837, for five years.				
	Stipulated to cut 60 M. Lumber annually.				
	Expires 30th April, 1841.				
	Surety—James Albee.	3 0 0	8	5	0
167.	Jared Tozer, Gloucester, eight and ¼ square miles.				
	Licence issued 19th January, 1837, for five years.				
	Stipulated to cut 340 tons Timber annually.				
	Expires 30th April, 1841.				
	No bond.	0 0 0	0	0	0
168.	George Taylor, Gloucester, twelve square miles.				
	Licence issued 19th January, 1836, for five years.				
	Stipulated to cut 480 tons Timber annually.				
	Expires 30th April, 1841.				
	No bond.	0 0 0	0	0	0
169.	George Morrow, York, three square miles.				
	Licence issued 21st January, 1837, for five years.				
	Stipulated to cut 60 M. Lumber annually.				
	Expires 30th April, 1841.				
	Surety—Thomas Gillespie.	3 0 0	13	10	0
170.	D. M'Kay, Gloucester, three square miles.				
	Licence issued 27th January, 1837, for five years.				
	Stipulated to cut 120 tons Timber annually.				
	Expires 30th April, 1841.				
	Surety—Frances Ferguson.	3 0 0	9	0	0
171.	F. Ferguson, Gloucester, six square miles.				
	Licence issued 27th January, 1837, for five years.				
	Stipulated to cut 240 tons Timber annually.				
	Expires 30th April, 1841.				
	Surety—Alexander Rankin.	6 0 0	18	0	0
172.	George Taylor, Gloucester, fifteen square miles.				
	Licence issued 27th January, 1837, for five years.				
	Stipulated to cut 600 tons Timber annually.				
	Expires 30th April, 1841.				
	No bond.	0 0 0	0	0	0
173.	S. H. Hitchings, Charlotte, three square miles.				
	Licence issued 8th February, 1837, for five years.				
	Stipulated to cut 60 M. Lumber annually.				
	Expires 30th April, 1841.				
	Surety—Robert Spence.	3 0 0	8	5	0
174.	D. Gilmore, Charlotte, eleven and ¼ square miles,				
	Licence issued 9th January, 1837, for five years.				
	Stipulated to cut 230 M. Lumber annually.				
	Expires 30th April, 1841.				
	Surety—James Pratt, Junior.	11 10 0	31	12	6
	<i>Carried forward</i> ,.....	£1,382 0 0	£5,099	15	1½



# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1857.
	<i>Brought forward</i> ,.....	£1,382 0 0	£5,099 15 1½
175.	John Porter, York, six square miles. Licence issued 10th February, 1837, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1841. Surety—G. M. Porter.	6 0 0	6 0 0
176.	A. Gilmore, Charlotte, five square miles, Licence issued 14th February, 1837, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1841. No bond.	5 0 0	13 15 0
177.	Alexander M'Laggan, Northumberland, three square miles. Licence issued 15th February, 1837, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1841. Surety—John Hayward.	3 0 0	3 0 0
178.	John M'Laggan, York, eighteen square miles. Licence issued 15th February, 1837, for five years. Stipulated to cut 360 M. Lumber annually. Expires 30th April, 1841. No bond.	18 0 0	18 0 0
179.	George Anderson, Saint John, nine square miles. Licence issued 16th February, 1837, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1841. Surety—S. White.	9 0 0	9 0 0
180.	William Dickens, Kent, ten square miles. Licence issued 16th February, 1836, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1841. No bond.	0 0 0	0 0 0
181.	Robert Gegan, Kent, fifteen and ½ square miles. Licence issued 16th February, 1837, for five years. Stipulated to cut 620 tons Timber annually. Expires 30th April, 1841. No bond.	0 0 0	0 0 0
182.	Thomas Boies, York, fifteen square miles. Licence issued 23d February, 1837, for five years. Stipulated to cut 300 M. Lumber annually. Expires 30th April, 1841. Surety—S. Boies.	15 0 0	15 0 0
183.	John Montgomery, Gloucester, eight and ½ square miles. Licence issued 23d February, 1837, for five years. Stipulated to cut 340 tons Timber annually. Expires 30th April, 1841. Surety—W. G. Smith.	8 10 0	8 10 0
184.	Alexander Rankin, Northumberland, one and ½ square miles. Licence issued 27th February, 1837, for five years. Stipulated to cut 25 M. Lumber annually. Expires 30th April, 1841. Surety—A. Rankin.	1 5 0	1 5 0
	<i>Carried forward</i> ,.....	£1,447 15 0	£5,227 15 1½

# APPENDIX.

No		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> , .....	£1,447 15 0	£5,227 15 1½
185.	Alexander Rankin, Northumberland, eight square miles. Licence issued 27th February, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. Surety—A. Rankin.	8 0 0	8 0 0
186.	W. Jardine, Carleton, five square miles. Licence issued 27th February, 1837, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. No bond.	5 0 0	5 0 0
187.	John J. Donald, Northumberland, eight square miles. Licence issued 28th February, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1841. Surety—John Hea.	0 0 0	14 0 0
188.	J. Allanshaw, York, six square miles. Licence issued 1st March, 1837, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1841. Surety—W. Whitlock.	6 0 0	6 0 0
189.	A. C. Hammond, Carleton, six square miles. Licence issued 19th May, 1837, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1842. No bond.	6 0 0	6 0 0
190.	William Lock, Northumberland, five square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 200 tons Timber annually. Expires 30th April, 1841. Surety—Hugh Hammond.	5 0 0	15 0 0
191.	William Lock, Northumberland, twenty five square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 1000 tons Timber annually. Expires 30th April, 1841. Surety—Hugh Hammond.	25 0 0	75 0 0
192.	Joseph Cunard, Northumberland, twenty square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 400 M. Lumber annually. Expires 30th April, 1841. No bond.	0 0 0	0 0 0
193.	Jeremiah Whitney, York, two square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1841. Surety—George Morrow,	2 0 0	9 0 0
194.	Joseph Cunard, Northumberland, twenty eight square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 560 M. Lumber annually.		
	<i>Carried forward</i> , .....	£1,504 15 0	£5,365 15 1½
	y†		

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,504 15 0	£5,365 15 1½
	Expires 30th April, 1841,		
	No bond.	0 0 0	0 0 0
195.	James Stephenson, York, six square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 120 M. Lumber annually. Expires 30th April, 1841. No bond.	6 0 0	27 0 0
196.	J. L. Marsh, Carleton, six square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1841. Surety—George Marsh,	6 0 0	6 0 0
197.	J. F. Taylor, York, four square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 160 tons Timber annually. Expires 30th April, 1841. Surety—James Taylor.	4 0 0	28 0 0
198.	Alexander Boone, Sunbury, four square miles. Licence issued 13th March, 1837, for five years. Stipulated to cut 80 M. Lumber annually. Expires 30th April, 1841. No bond.	4 0 0	21 10 0
199.	Alexander Rankin, Gloucester, twelve square miles. Licence issued 25th March, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	12 0 0	12 0 0
202.	F. Ferguson, Gloucester, twelve square miles. Licence issued 25th March, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	12 0 0	12 0 0
203.	F. Ferguson, Gloucester, sixteen square miles. Licence issued 25th March, 1837, for five years. Stipulated to cut 640 tons Timber annually. Expires 30th April, 1841. Surety—A. Rankin.	16 0 0	16 0 0
204.	James Balloch, Carleton, three square miles. Licence issued 28th March, 1837, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1841. Surety—James Taylor.	3 0 0	9 0 0
205.	N. Blake, York, ten square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1842. No bond.	10 0 0	10 0 0
206.	James Fraser, Jun. Sunbury, eight square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1842. No bond.	8 0 0	36 0 0
	<i>Carried forward</i> ,.....	£1,585 15 0	£5,543 5 1½

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,585 15 0	£5,543 5 1½
207.	Henry Loder, Queens, two square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 60 M. Lumber annually. Expires 30th April, 1842. No bond.	2 0 0	2 0 0
208.	A. Rodgers, Gloucester, four and ½ square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 180 tons Timber annually. Expires 30th April, 1842. No bond.	4 10 0	4 10 0
209.	R. M'Leod, Gloucester, six square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1842. Surety—D. M'Leod.	6 0 0	6 0 0
210.	R. Crocker, Gloucester, nine square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1842. No bond.	9 0 0	9 0 0
211.	B. Tibbetts, Carleton, ten square miles. Licence issued 6th May, 1837, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1842. Surety—F. Tibbetts.	10 0 0	10 0 0
212.	L. Seely, York, two square miles. Licence issued, 8th May, 1837, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1842. No bond.	2 0 0	2 0 0
213.	B. Tibbetts, Carleton, three square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1842. No bond.	3 0 0	3 0 0
214.	A. Rankin, Gloucester, two and ½ square miles. Licence issued 8th May 1837, for five years. Stipulated to cut 100 tons Timber annually. Expires 30th April, 1842. Surety—A Rankin.	12 0 0	2 10 0
215.	Joseph Cunard, Gloucester, eighteen square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 620 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
216.	W. Raymond, Kent, twenty one and ½ square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 860 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
217.	John Morrison, Gloucester, eight square miles. Licence issued 8th May, 1837, for five years.		
	<i>Carried forward</i> ,.....	£1,624 15 0	£5,582 5 1½

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,624 15 0	£5,582 5 1½
	Stipulated to cut 320 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
218.	B. Treferthen, Gloucester, nine square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 360 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
219.	N. Morrison, Gloucester, ten square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
220.	Joseph Cunard, Gloucester, ten square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 400 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
221.	Joseph Cunard, Gloucester, twelve square miles. Licence issued 8th May, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
222.	J. Smith, York, one and ½ square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 40 M. Lumber annually. Expires 30th April, 1842. Surety—William Scoullar.	1 10 0	1 10 0
223.	Orlo Hoyet, Sunbury, five square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 100 M. Lumber annually. Expires 30th April, 1842. Surety—William Scoullar.	5 0 0	5 0 0
224.	William Napier, Gloucester, four square miles. License issued 16th May, 1837, for five years. Stipulated to cut 160 tons Timber annually. Expires 30th April, 1842. Surety—C. Botsford.	4 0 0	4 0 0
225.	Alexander Rankin, Gloucester, twelve square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 480 tons Timber annually. Expires 30th April, 1842. Surety—A. Rankin.	12 0 0	12 0 0
226.	Alexander Rankin, Northumberland, nine square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 180 M. Lumber annually. Expires 30th April, 1842. Surety—A. Rankin.	9 0 0	9 0 0
227.	Alexander Rankin, Gloucester, thirty nine square miles. Licence issued 16th May, 1837, for five years.		
	<i>Carried forward</i> ,.....	£1,656 5 0	£5,613 15 1½

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> , .....	£1,656 5 0	£5,613 15 1½
	Stipulated to cut 1560 tons Timber annually. Expires 30th April, 1842. Surety—A. Rankin.	39 0 0	39 0 0
228.	Jared Tozer, Northumberland, eight square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
229.	Joseph Cunard, Northumberland, eight square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
230.	Joseph Cunard, Northumberland, eight square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1842. No bond.	0 0 0	0 0 0
231.	R. M'Leod, Gloucester, one and ½ square miles. Licence issued 16th May, 1837, for five years. Stipulated to cut 50 tons Timber annually. Expires 30th April, 1842. Surety—D. M'Leod.	1 5 0	1 5 0
232.	James Allanshaw, Charlotte, seventy square miles. Licence issued 17th May, 1837, for five years. Stipulated to cut 1400 M. Lumber annually. Expires 30th April, 1842. Surety—James Allanshaw.	0 0 0	0 0 0
233.	Charles Emery, York, three square miles. Licence issued 24th May, 1837, for five years. Stipulated to cut 120 tons Timber annually. Expires 30th April, 1842. No bond.	3 0 0	9 0 0
234.	A. M'Lean, York, six square miles. Licence issued 24th May, 1837, for five years. Stipulated to cut 240 tons Timber annually. Expires 30th April, 1842. Surety—W. A. M'Lean.	6 0 0	6 0 0
235.	Henrs Jones, York and Carleton, eight square miles. Licence issued 9th June, 1837, for five years. Stipulated to cut 160 M. Lumber annually. Expires 30th April, 1842. Surety—D. Phillips.	8 0 0	8 0 0
236.	R. V. Hanson, Charlotte, four and ½ square miles. Licence issued 10th July, 1837, for five years. Stipulated to cut 90 M. Lumber annually. Expires 30th April, 1842. Surety—Gideon Knight.	4 10 0	4 10 0
237.	J. P. Ford, Kent, seven and ½ square miles. Licence issued 17th July, 1837, for five years. Stipulated to cut 100 M. Lumber annually.		
	<i>Carried forward</i> , .....	£1,718 0 0	£5,681 10 1½

# APPENDIX.

No.		Preference money or mileage.	Total amount paid to 21st December, 1837.
	<i>Brought forward</i> ,.....	£1,718 0 0	£5,681 10 1½
	Expires 30th April, 1842.		
	Surety—S. White.	7 10 0	11 17 6
238.	E. J. Budd, Saint John, eighteen square miles.		
	Licence issued 21st July, 1837, for five years.		
	Stipulated to cut 360 M. Lumber annually.		
	Expires 30th April, 1842.		
	Surety—G. D. Robinson.	18 0 0	33 15 0
239.	F. Fulton, Queen's, seven square miles.		
	Licence issued 8th November, 1837, for five years.		
	Stipulated to cut 140 M. Lumber annually.		
	Expires 30th April, 1842.		
	No bond.	7 0 0	7 0 0
240.	B. A. Huestis, York, eight square miles.		
	Licence issued 8th November 1837, for five years.		
	Stipulated to cut 160 M. Lumber annually.		
	Expires 30th April, 1842.		
	Surety—L. Huestis.	8 0 0	8 0 0
241.	John Marks, Charlotte, six square miles.		
	Licence issued 23d November, 1837, for five years.		
	Stipulated to cut 240 tons Timber annually.		
	Expires 30th April, 1842.		
	No bond.	6 0 0	6 0 0
242.	John DeWitt, York, three square miles.		
	Licence issued 23d November, 1837, for five years.		
	Stipulated to cut 60 M. Lumber annually.		
	Expires 30th April, 1842.		
	No bond.	3 0 0	3 0 0
		£1,767 10 0	£5,751 2 7½

Errors excepted.

THOMAS BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.*  
December 18, 1837.

*The foregoing Licences are granted under the following Conditions and Regulations.*

1. The within named A. B. is required to pay duty at the Crown Land Office, on one hundred tons Pine Timber annually, at the rate of two shillings per ton, and in the following instalments, viz:—the sum of two pounds ten shillings, on the 24th day of September, the further sum of two pounds ten shillings on the 24th day of December in the same year, and the residue, being five pounds, on the 24th day of June in the following year; at which time and place he is required to exhibit an attested account, shewing the total quantity of Timber and Lumber removed from the within described Berth, during the preceding twelve months, and if he shall have removed a greater quantity than one hundred tons of Pine Timber he will then and there pay duty on such excess, at the rate of two shillings and sixpence per ton for the Red Pine Timber; two shillings per ton for White Pine; three shillings and sixpence per thousand feet for Mill Lumber, and ten per cent. on the current value of all other descriptions of Lumber in market.

2. He is required to mark on each stick its number and contents, and to keep a register of the same in the Camp, which register must be produced when required by any Surveying Officer duly qualified; and he must also mark each stick as follows:

## APPENDIX.

such mark to be distinctly placed within triangles, on three sides of the stick, near both ends, and a private mark must be placed near the centre of the stick.

3. He will be allowed to resign his Licence at the expiration of any one year, by giving three months previous notice, and producing a certificate that the Timber is exhausted.

4. He must in all cases give bonds, with one or two Sureties to the King, for the payment of the duty, and the faithful performance of all the conditions of the Licence.

5. He will be required to state on the first day of May, the quantity he intends cutting in that year, and pay duty accordingly; but he will be allowed to correct the quantity applied for within the year, and pay up the balance of Tonnage, but in no case is the Timber to be cut before applying and paying instalments for the same.

6. The Crown reserves the right of selling for Settlement any Lands within the bounds of the within described Tract, during the term of the Licence, and in all cases of such sale the Licence for the part sold will terminate on the first day of May after the sale.

N. B.—As much good must result from an uniformity of surveying the berths, Petitioners should as much as possible describe the tracts they wish to occupy by line running north and south, east and west.

## MILL RESERVES.

	Preference money.
Granted to William Black and other Mill owners, Salmon River, eighteen square miles, in Council, 1821.	
Conditions—duty on all cut. Period to be held not defined.	£0 0 0
Granted to Thomas Hartt, Yoho River, nine square miles, in Council, 1822.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to J. Tracey, Oromocto, ten square miles, in Council, 1822.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to Peter Yeomans, Newcastle, fifteen square miles, in Council, 1822.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to J. Jewett, Porter's Brook, Miramichi, thirteen square miles, in Council, 1822.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to R. M'Leod, Tabusintak, eleven square miles, in Council, 1825.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to Richard Ketchum, Little Presqu' Isle, eleven square miles, by Commander in Chief, 1830.	
Conditions—duty on all cut. Period to be held not defined.	0 0 0
Granted to T. Johnson, St. Nicholas, seven and $\frac{1}{2}$ square miles, by auction, 1834.	
Conditions—duty on all cut. Period to be held—ten years.	5 0 0
Granted to James Taylor, Tobique, fifteen square miles, by auction, 1834.	
Conditions—duty on all cut. Period to be held—ten years.	10 0 0
Total.....	£15 0 0

The quantities of Timber or Logs to be cut annually are not expressed in the above grants.

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
December 26, 1837.*



## APPENDIX.

**RECEIPTS IN THE CROWN LAND OFFICE**

*On account of Land sold, instalments on Land previously sold, on account of Land leased,  
and for contingencies, from the 30th June to 31st July, 1837.*

**LAND SOLD.**

No.		Amount of Purchase.	Amount paid.
2781.	James Hartt. Date of Record, 1st July, 1837. Fifty acres, at 3s. situate in the Parish of Saint George, County of Charlotte, Conditions of sale—Whole amount.	£7 10 0	£7 10 0
2782.	J. T. Coffin. Date of Record, 1st July, 1837. One thousand three hundred and eighty five acres, si- tuate in the Parish of Andover, County of Carleton. Military grant.	0 0 0	0 0 0
2783.	Alex. Musson. Date of Record, 5th July, 1837. Three hundred acres, situate in the County of York. Military grant.	0 0 0	0 0 0
2784.	M. A. Pomeroy. Date of Record, 14th July, 1837. Sixty acres, situate in the Parish of Saint George, County of Charlotte. Conditions of sale—Whole amount.	0 5 0	0 5 0
2785.	Jane Curran. Date of Record, 16th July, 1837. One hundred acres, situate in the Parish of Wakefield, County of Carleton. Conditions of sale—Whole amount.	0 1 0	0 1 0
2786.	Trustees Saint Andrew's Church. Date of Record, 16th July, 1837. Five hundred acres, situate in the Parish of Addington, County of Gloucester. Conditions of sale—Whole amount.	0 5 0	0 5 0
2787.	James Ryan. Date of Record, 17th July, 1837. Sixty acres, at 2s. situate in the Parish of Newcastle, County of Northumberland. Conditions of sale—Whole amount.	6 0 0	6 0 0
2788.	M. Legere. Date of Record, 17th July, 1837. One hundred and fifty acres, situate in the Parish of Botsford, County of Westmorland. Conditions of sale—Whole amount.	0 5 0	0 5 0
2789.	Patrick Connor. Date of Record, 17th July, 1837. Two hundred acres, at 2s. 6d. situate in the Parish of Dorchester, County of Westmorland. Conditions of sale—First instalment.	25 0 0	6 5 0
2790.	Darby Fahany. Date of Record, 18th July, 1837. Thirty acres, situate in the Parish of Wickham, Queen's County. Conditions of sale—Whole amount.	0 5 0	0 5 0
2791.	Trustees Saint Stephen's Church. Date of Record, 19th July, 1837. Five hundred acres, situate in the Parish of Glenelg, County of Northumberland. Conditions of sale—Whole amount.	0 5 0	0 5 0
<i>Carried forward,</i> .....		£39 16 0	£21 1 0

# APPENDIX.

No.		Amount of Purchase.	Amount paid.
	<i>Brought forward</i> ,.....		£21 1 0
2792.	M. & F. D'Aigle. Date of Record, 21st July, 1837. Eighty acres, situate in the Parish of Richibucto, County of Kent. Conditions of sale—Whole amount.	£1 0 0	1 0 0
2793.	Alexander White. Date of Record, 21st July, 1837. Fifty acres, at 2s. 6d. situate in the Parish of Carleton, County of Kent. Conditions of sale—Whole amount.	6 5 0	6 5 0
2794.	P. deRoche. Date of Record, 21st July, 1837. Sixteen acres, at 2s. 6d. situate in the Parish of Wellington, County of Kent. Conditions of sale—Whole amount.	2 0 0	2 0 0
2795.	M. Richard. Date of Record, 21st July, 1837. Thirty two acres, at 2s. 6d. situate in the Parish of Richibucto, County of Kent. Conditions of sale—Whole amount.	4 0 0	4 0 0
2796.	Joseph Maillett. Date of Record, 21st July, 1837. Twenty acres, at 3s. situate in the Parish of Carleton, County of Kent. Conditions of sale—Whole amount.	3 0 0	3 0 0
2797.	John Mackay. Date of Record, 21st July, 1837. One hundred acres, at 3s. situate in the Parish of Carleton, County of Kent. Conditions of sale—First instalment.	15 0 0	3 15 0
2798.	Stephen Barton. Date of Record, 21st July, 1837. One hundred acres, at 3s. situate in the Parish of Welford, County of Kent. Conditions of sale—First instalment.	15 0 0	3 15 0
2799.	Oliver Daigle. Date of Record, 22d July, 1837. Forty acres, at 2s. situate in the Parish of Richibucto, County of Kent. Conditions of sale—Whole amount.	4 0 0	4 0 0
2800.	Thomas Long. Date of Record, 22d July, 1837. Two hundred acres, situate in the Parish of Portland, County of Saint John. Conditions of sale—Whole amount.	0 5 0	0 5 0
2801.	Thomas Fallen. Date of Record, 22d July, 1837. One hundred acres, situate in the County of Northumberland. Military grant.	0 0 0	0 0 0
2802.	M. Robicheaux. Date of Record, 22d July, 1837. One hundred acres, at 2s. situate in the Parish of Carleton, County of Kent. Conditions of sale—Whole amount.	10 0 0	10 0 0
2803.	Trustees Scotch Church. Date of Record, 22d July, 1837. Five hundred acres, situate in the Parish of Bathurst, County of Gloucester. Conditions of sale—Whole amount.	0 5 0	0 5 0
	Total,.....		£59 6 0

# APPENDIX.

## INSTALMENTS ON LAND PREVIOUSLY SOLD.

No.		Amount purchase.	Amount paid.
1465.	James Millican. Date of Record 29th December, 1834. Nine hundred and fifty two acres, at 4s. situate in the Parish of Portland, County of Saint John. Particulars of payment—Third instalment.	£190 8 0	£47 12 0
1420.	James Millican. Date of Record 15th October, 1834. Two hundred and thirty acres, at 3s. 6d. situate in the Parish of Portland, County of Saint John. Particulars of payment—Fourth instalment.	38 0 0	9 10 0
778.	B. C. Beardsley. Date of Record 13th November, 1832. One hundred and fourteen acres at 9s. 8d. situate in in the Parish of Northampton, County of Carleton. Particulars of payment—Fourth instalment.	55 0 0	13 15 0
2776.	Terence Magee. Date of Record 27th June, 1837. One hundred acres, at 5s. situate in the Parish of Pennfield, County of Charlotte. ( <i>balance.</i> )	25 0 0	22 10 0
979.	N. O'Donnell. Date of Record 29th May, 1833. Two hundred acres, at 3s. 4d. situate in the Pa- rish of Hampstead, King's County. Particulars of payment—Second and third instalment.	33 6 8	16 13 4
1822.	Robert Brown. Date of Record 5th December, 1835. Two hundred acres, at 3s. 6d. situate in the Parish of Andover, County of Carleton. Particulars of payment—Second instalment.	35 0 0	8 15 0
1730.	Benjamin Slood. Date of Record 9th October, 1835. Two hundred acres, at 3s. 6d. situate in the Parish of Andover, County of Carleton. Particulars of payment—Second instalment.	35 0 0	8 15 0
1640.	Thomas Pickard. Date of Record 1st August, 1835. One hundred and eighty eight acres, at 6s. situate in the Parish of Prince William, County of York. Particulars of payment—Third instalment.	56 8 0	14 2 0
624.	Michael Egan. Date of Record 10th April, 1832. One hundred and twenty acres, at 3s. situate in the Parish of Blackville, County of Northumberland, Particulars of payment—Second, third and fourth instalment. Five years and two months interest.	18 0 0	13 10 0 4 3 7
1267.	John Waddell. Date of Record 27th February, 1834. Fifty acres, at 5s. situate in the Parish of Wake- field, County of Carleton. Particulars of payment—Fourth instalment.	12 10 0	3 2 6
2045.	Thomas Nooney. Date of Record 2d May, 1836. Eighty acres, at 6s. situate in the Parish of Black- ville, County of Northumberland. Particulars of payment—Second, third and fourth instalment.	24 0 0	18 0 0
2775.	John Wilson. Date of Record 27th June, 1837. One hundred acres, at 5s. 1d. situate in the Parish of Prince William, County of York. ( <i>balance.</i> )	25 8 4	22 17 6
420.	Alex. Murphy. Date of Record 31st August, 1831.		

Carried forward,.....£203 6 11

# APPENDIX.

No.		Amount purchase.	Amount paid.
	<i>Brought forward</i> ,.....		£203 5 11
	One hundred and twenty acres, at 2s. 6d. situate in the Parish of Blackville, County of Northumberland.		
	Particulars of payment—Second and third instalment.	£15 0 0	7 10 0
	Five years and ten months interest.		2 12 6
2090.	James Keith. Date of Record 7th June, 1836.		
	One hundred acres, at 4s. situate in the Parish of Brunswick, Queen's County.		
	Particulars of payment—Second instalment.	20 0 0	5 0 0
2294.	Patrick Jones. Date of Record 7th September, 1836.		
	One hundred acres, at 5s. situate in the Parish of Blackville, County of Northumberland.		
	Particulars of payment—Second instalment.	25 0 0	6 5 0
1439.	Wm. Caughey. Date of Record, 6th November, 1834.		
	One hundred acres, at 5s. situate in the Parish of Andover, County of Carleton,		
	Particulars of payment—Second instalment.	25 0 0	6 5 0
1005.	James Hayward. Date of Record 19th June, 1833.		
	Two hundred acres, at 3s. situate in the Parish of Richibucto, County of Kent.		
	Particulars of payment—Second, third and fourth instalment.	30 0 0	22 10 0
1784.	James Tobin. Date of Record 10th November, 1835.		
	One hundred acres, at 4s. situate in the Parish of Ludlow, County of Northumberland.		
	Particulars of payment—Second instalment.	20 0 0	5 0 0
1410.	B. Underderhill, Junior. Date of Record 1st October, 1834.		
	One hundred acres, at 3s. 6d. situate in the Parish of Blackville, County of Northumberland.		
	Particulars of payment—Fourth instalment.	17 10 0	4 7 6
2322.	Hugh Flaherty. Date of Record 4th October, 1836.		
	One hundred acres, at 4s. situate in the Parish of Saint Patrick, County of Charlotte,		
	Particulars of payment—Fourth instalment.	20 0 0	5 0 0
1385.	J. T. Mahony. Date of Record 26th August, 1834.		
	One hundred acres, at 3s. 6d. situate in the Parish of Westfield, King's County.		
	Particulars of payment—First instalment.	17 10 0	4 7 6
836.	Joseph Watson. Date of Record 22d December, 1832.		
	One hundred acres, at 3s. 6d. situate in the Parish of Wakefield, County of Carleton.		
	Particulars of payment—Fourth instalment.	17 10 0	4 7 6
	Total,.....		£276 10 11

## LAND LEASED.

Deputy W. J. Layton.	Sale of Wild Meadows, Kent,.....	£19 4 0
	Sale of Wild Meadows, Kent and Westmorland,	7 13 2
	Total,.....	£26 17 2

## APPENDIX.

### SUMMARY.

Receipts on account of Land sold,.....	£59	6	0
“ “ Instalments,.....	276	10	11
“ “ Land Leased,.....	26	17	2
“ “ Contingencies,.....	0	0	0
Total,.....	£362	14	1

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
January 2, 1838.*

## RECEIPTS IN THE CROWN LAND OFFICE

*On account of Timber and Lumber under Licence for one year, under Licence for five years,  
and for quantities cut in excess from the 30th June to the 31st July, 1837.*

### FOR ONE YEAR.

No. Application.	No. Licence.		Amount paid.
144.	7.	Arthur Ritchie, Gloucester. Sold at Auction 4th July, 1837. 200 tons Timber, at 2s.—Whole paid.	£20 0 0
145.		John Montgomery, Gloucester. Sold at Auction 4th July, 1837. 60 tons Timber, at 2s.—First instalment paid.	1 10 0
146.		Joseph Cunard, Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 2s.—First instalment paid.	2 10 0
147.	8.	Roderick M'Leod, Gloucester. Sold at Auction 4th July, 1837. 150 tons Timber, at 2s.—Whole paid.	15 0 0
148.	6.	Roderick M'Leod, Gloucester. Sold at Auction 4th July, 1837. 150 tons Timber, at 2s.—Whole paid.	15 0 0
149.		Joseph Cunard, Gloucester. Sold at Auction 4th July, 1837. 60 tons Timber, at 2s.—First instalment paid.	1 10 0
150.	5.	W. J. Bedell, Gloucester. Sold at Auction 4th July, 1837. 100 M. Lumber, at 3s. 6d.—Whole paid.	17 10 0
151.		Joseph Cunard, Gloucester. Sold at Auction 4th July, 1837. 150 M. Lumber, at 3s. 6d.—First instalment paid.	6 11 3
152.		Joseph Cunard, Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 2s.—First instalment paid.	2 10 0
153.		Alexander M'Laggan, Gloucester. Sold at Auction 4th July, 1837. 60 tons Timber, at 2s.—First instalment paid.	1 10 0
<i>Carried forward,</i> .....			£83 11 3

# APPENDIX.

No. Application. No. Licence.		Amount paid.
	<i>Brought forward</i> ,.....	£83 11 3
154.	Alexander M'Laggan, Gloucester. Sold at Auction 4th July, 1837. 50 M. Lumber, at 3s. 6d.—First instalment paid.	2 3 9
155.	Alexander M'Laggan, Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 2s.—First instalment paid.	2 10 0
156.	Alexander M'Laggan, Gloucester. Sold at Auction 4th July, 1837. 30 M. Lumber, at 2s.—First instalment paid.	1 6 3
157.	4. John Munro, Gloucester, Sold at Auction 4th July, 1837. 60 tons Timber, at 2s. and 20 M. Lumber, at 3s. 6d.— Whole paid.	9 10 0
158.	E. A. Henderson, Gloucester. Sold at Auction 4th July, 1837. 150 tons Timber, at 2s. 8d.—First instalment paid.	6 13 4
159.	N. Hilton & Co., Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 3s.—First instalment paid.	3 15 0
160.	A. M'Laggan, Gloucester. Sold at Auction 4th July, 1837. 60 tons Timber, at 3s.—First instalment paid.	1 10 0
161.	Stephen Hilton, Gloucester. Sold at Auction 4th July, 1837. 60 tons Timber, at 3s.—First instalment paid.	1 10 0
162.	Stephen Hilton, Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 3s.—First instalment paid.	2 10 0
163.	John Pond, Gloucester. Sold at Auction 4th July, 1837. 100 tons Timber, at 3s.—First instalment paid.	2 10 0
164.	Stephen Hilton, Gloucester. Sold at Auction 4th July, 1837. 200 tons Timber, at 3s.—First instalment paid.	5 0 0
165.	B. Wolhaupter, Gloucester. Sold at Auction 4th July, 1837. 100 M. Lumber, at 3s. 6d.—First instalment paid.	4 7 6
166.	Benjamin Tibbets, Carleton. Sold at Auction 4th July, 1837. 200 tons Timber, at 3s.—First instalment paid.	5 0 0
167.	Benjamin Tibbetts, Carleton, Sold at Auction 4th July, 1837. 100 tons Timber, at 3s.—First instalment paid.	2 10 0
169.	R. Dickson, Carleton, Sold at Auction 4th July, 1837. 150 tons Timber, at 3s.—First instalment paid.	3 15 0
170.	John S. Paterson, York. Sold at Auction 4th July, 1837. 80 tons Timber at 2s.—First instalment paid.	2 0 0
	<i>Carried forward</i> ,.....	£140 2 1

# APPENDIX.

No. Application. No. Licence.			Amount paid.
		<i>Brought forward</i> ,.....	£140 2 1
171.		V. Pickard, York. Sold at Auction 4th July, 1837. 100 tons Timber, at 2s.—First instalment paid.	2 10 0
172.		David Dow, York. Sold at Auction 4th July, 1837. 30 M. Lumber, at 3s. 6d.—First instalment paid.	1 6 3
173.		John Pond, York. Sold at Auction 4th July, 1837. 50 tons Timber, at 2s.—First instalment paid.	1 5 0
175.		L. Cameron, York. Sold at Auction 4th July, 1837. 100 tons Timber, at 2s.—First instalment paid.	2 10 0
176.		A. Cumberland, York. Sold at Auction 4th July, 1837. 40 M. Lumber, at 3s. 6d.—First instalment paid.	1 15 0
177.		D. Small, York. Sold at Auction 4th July, 1837. 200 tons Timber, at 2s.—First instalment paid.	5 0 0
178.		B. Wolhaupter, York. Sold at Auction 4th July, 1837. 200 tons Timber, at 2s.—First instalment paid.	5 0 0
179.		Melzer Drake, York. Sold at Auction 4th July, 1837. 200 tons Timber, at 2s.—First instalment paid.	5 0 0
180.		John Cameron, Queen's. Sold at Auction 4th July, 1837. 40 M. Lumber, at 3s. 6d.—First instalment paid.	1 10 0
181.		R. Hutchinson, Queen's. Sold at Auction 4th July, 1837. 35 M. Lumber, at 3s. 6d.—First instalment paid.	1 10 7½
182.		Samuel Nelson, Queen's. Sold at Auction 4th July, 1837. 150 tons Timber, at 2s. and 25 M. Lumber, at 3s. 6d.— First instalment paid.	4 16 10½
183.		J. J. Kennedy, King's. Sold at Auction 4th July, 1837. 60 M. Lumber, at 3s. 6d.—First instalment paid.	2 12 6
184.		Patrick Long, Northumberland. Sold at Auction 4th July, 1837. 50 tons Timber, at 1s. 9d.—First instalment paid.	1 1 10½
185.	12.	Alexander Rankin, Gloucester. Sold at Auction 4th July, 1837. 300 tons Timber, at 2s.—Whole paid.	30 0 0
186.	9.	Alexander Rankin, Gloucester, Sold at Auction 4th July, 1837. 300 tons Timber, at 2s.—Whole paid.	30 0 0
187.	10.	Alexander Rankin, Northumberland. Sold at Auction 4th July, 1837. 80 M. Lumber, at 3s. 6d.—Whole paid.	14 0 0
188.	11.	Alexander Rankin, Northumberland.	
		<i>Carried forward</i> ,.....	£250 5 2½

# APPENDIX.

No. Application. No. Licence.			Amount paid.		
		<i>Brought forward</i> ,.....	£250	5	2½
		Sold at Auction 4th July, 1837.			
		120 M. Lumber, at 3s. 6d.—Whole paid	21	0	0
189.	13.	Alexander Rankin, Northumberland.			
		Sold at Auction 4th July, 1837.			
		80 M. Lumber, at 3s. 6d.—Whole paid.	14	0	0
99.	14.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		40 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	5	5	0
80.	15.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3	18	9
92.	16.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3	18	9
68.	17.	Alexander Rankin, Gloucester.			
		Sold at Auction 6th June, 1837.			
		160 tons Timber, at 2s.—2d, 3d and 4th instalment.	12	0	0
67.	18.	Alexander Rankin, Gloucester.			
		Sold at Auction 6th June, 1837.			
		100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7	10	0
96.	19.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3	18	9
69.	20.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		60 tons Timber, at 2s.—2d, 3d and 4th instalment.	4	10	0
116.	21.	W. J. Bedell, York.			
		Sold at Auction 6th June, 1837.			
		50 tons Timber, at 2s.—2d, 3d and 4th instalment.	3	15	0
13.	22.	A. Ritchie, Gloucester.			
		Sold at Auction 6th June, 1837.			
		300 tons Timber, at 2s.—2d, 3d and 4th instalment.	22	10	0
98.	23.	Alexander Rankin, Northumberland.			
		Sold at Auction 6th June, 1887.			
		50 tons Timber, at 2s.—2d, 3d and 4th instalment.	3	15	0
17.	24.	A. Ritchie, Gloucester.			
		Sold at Auction 6th June, 1837.			
		150 tons Timber, at 2s.—2d, 3d and 4th instalment.	11	5	0
38.	25.	A. Ritchie, Gloucester.			
		Sold at Auction 6th July, 1837.			
		200 tons Timber, at 2s.—2d, 3d and 4th instalment.	15	0	0
16.	26.	A. Ritchie, Gloucester.			
		Sold at Auction 6th June, 1837.			
		200 tons Timber. at 2s.—2d, 3d, and 4th instalment.	15	0	0
77.	27.	A. Rankin, Northumberland.			
		Sold at Auction 6th June, 1837.			
		30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3	18	9
15.	28.	A. Ritchie, Gloucester.			
		Sold at Auction 6th June, 1837.			
		100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7	10	0
		<i>Carried forward</i> ,.....	£409	0	2½



# APPENDIX.

No. Application.	No. Licence.		Amount paid.
		<i>Brought forward</i> ,.....	£409 0 2½
12.	29.	A. Ritchie, Gloucester. Sold at Auction 6th June, 1837. 100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7 10 0
11.	30.	A. Ritchie, Gloucester. Sold at Auction 6th June, 1837. 150 tons Timber, at 2s.—2d, 3d and 4th instalment.	11 5 0
79.	31.	Alexander Rankin, Northumberland. Sold at Auction 6th June, 1837. 30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3 18 9
32.	32.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7 10 0
33.	33.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7 10 0
35.	34.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 100 tons Timber at 2s.—2d, 3d and 4th instalment.	7 10 0
70.	35.	Alexander Rankin, Gloucester. Sold at Auction 6th June, 1837. 200 tons Timber, at 2s.—2d, 3d and 4th instalment.	15 0 0
10.	36.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 150 tons Timber, at 2s.—2d, 3d and 4th instalment.	11 5 0
4.	37.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 200 tons Timber, at 2s.—2d, 3d and 4th instalment.	15 0 0
2.	38.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 200 tons Timber, at 2s.—2d, 3d and 4th instalment.	15 0 0
1.	39.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 200 tons Timber, at 2s.—2d, 3d and 4th instalment.	15 0 0
72.	40.	Alexander Rankin, Northumberland. Sold at Auction 6th June, 1837. 30 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	3 18 9
37.	41.	Arthur Ritchie, Gloucester. Sold at Auction 6th June, 1837. 100 tons Timber, at 2s.—2d, 3d and 4th instalment.	7 10 0
75.	42.	A. Rankin, Northumberland. Sold at Auction 6th June, 1837. 80 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	10 10 0
71.	43.	A. Rankin, Northumberland. Sold at Auction 6th June, 1837. 50 M. Lumber, at 3s. 6d.—2d, 3d and 4th instalment.	6 11 3
Total,.....			£553 18 11½

## LICENCE FOR FIVE YEARS.

Jacob Mercereaux, No. 101, third and fourth instalments 1st year,	£5 5 0
John P. Ford, " 237, mileage,	7 10 0
Total,.....	£12 15 0

# APPENDIX.

## TIMBER & LUMBER CUT IN EXCESS OF LICENCES, &c.

J. Mercereaux,	No. 101. 5 M. Lumber, at 3s. 6d.	£0 17 6
John Rider,	72½ tons Timber, at 4s.	14 10 0
George Elkin,	" 478 & 696, 80 tons Timber, at 4s.	16 0 0
M. Holstead,	" 627 & 660, 75 tons Timber, at 2s.	7 10 0
A. Brockway,	on application 221, 70 tons Timber, at 2s.	7 0 0
Thomas Murray,	on 5 year application, 700 tons Timber, at 2s.	70 0 0
Deputy H. B. Rainsford,	on 5 year application, 376 tons Timber, at 2s.	37 12 0
Total,.....		£153 9 6

## SUMMARY.

Receipts on account of Timber and Lumber, 1 year Licences,	£553 18 11½
" " " " 5 " "	12 15 0
" " " " excess "	153 9 6
	£720 3 5½

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
January 2, 1838.*

## PAYMENTS RECORDED IN THE CROWN LAND OFFICE

*On account of Land sold, instalments on Land previously sold, on account of Land leased, and for contingencies, from the 31st of July to the 31st December, 1837.*

## LAND SOLD.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
		2804.	Wm. Anderson. 100 acres, Saint Mary, County of York. Recorded 15th September, 1837. Military grant.	£0 0 0	£0 0 0
		2805.	Pierce Stapleton. 100 acres, Saint Patrick, County of Charlotte. Recorded 15th September, 1837. Military grant.	0 0 0	0 0 0
18.	17.	2806.	J. B. D'Aigle. 40 acres, at 2s. 6d. Richibucto, County of Kent. Recorded 15th September, 1837. Conditions—Whole amount.	5 0 0	5 0 0
35. 38.	36. 39.	2807.	C. H. Jouett. 27 acres, Saint George, County of Charlotte. Recorded 15th September, 1837. Conditions—Whole amount.	51 1 0	51 1 0
44.	45.	2808.	Matthew Rigley. 100 acres, at 2s. 6d. Glenelg, County of Northumberland. Recorded 18th September, 1837. Conditions—Whole amount.	12 10 0	12 10 0
Carried forward,.....				£68 11 0	

## APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£68 11 0
92.	93.	2109.	James Johnston. 100 acres, at 2s. Lin- coln, County of Sunbury. Recorded 28th October, 1837. Conditions—Whole amount.	10 0 0	10 0 0
72.	73.	2810.	William Hackett. 100 acres, at 2s. 6d. Glenelg, County of Northumberland. Recorded 28th October, 1837. Conditions—Whole amount.	12 10 0	12 10 0
73.	74.	2811.	P. M'Donald. 100 acres, at 2s. 6d. Gle- nelg, County of Northumberland. Recorded 28th October, 1837. Conditions—Whole amount.	12 10 0	12 10 0
88.	90.	2812.	John Ryan. 50 acres, at 2s. 6d. Kings- clear, County of York. Recorded 28th October, 1837. Conditions—Whole amount.	6 5 0	6 5 0
		2813.	Edward Guest. 200 acres, Saint Patrick, County of Charlotte. Recorded 28th October, 1837. Military grant.	0 0 0	0 0 0
116.	116.	2814.	Robert Coyle. 100 acres, at 2s. 6d. Wick- ham, Queen's County. Recorded 3d November, 1837. Conditions—Whole amount.	12 10 0	12 10 0
125.	121.	2815.	Samuel Hunter, Senior. 100 acres, at 3s. Kingsclear, County of York. Recorded 7th November, 1837. Conditions—First instalment.	15 0 0	3 15 0
173.	158.	2816.	Samuel Green. 100 acres, at 3s. Kings- clear, County of York. Recorded 17th November, 1837. Conditions—First instalment.	15 0 0	3 15 0
123. 189.	123. 167.	2817.	John Campbell. 50 acres, at 3s. Lan- caster, County of Saint John. Recorded 20th November, 1837. Conditions—Whole amount.	7 10 0	7 10 0
223.	175.	2818.	Peter M'Gee. 100 acres, at 2s. 6d. Hamp- ton, County of King's. Recorded 21st November, 1837. Conditions—Whole amount.	12 10 0	12 10 0
124. 226.	124. 177.	2819.	John Bell. 100 acres, at 8s. Shediach, County of Westmorland. Recorded 1st November, 1837. Conditions—Whole amount.	40 0 0	40 0 0
		2820.	Thomas Dyer. 100 acres, Springfield, County of King's. Recorded 22d November, 1837. Military grant.	0 0 0	0 0 0
		2821.	Richard Garraty. 100 acres, Sussex, County of King's. Recorded 22d November, 1837. Military grant.	0 0 0	0 0 0
			<i>Carried forward</i> ,.....		£189 16 0

# APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£189 16 0
227.	179.	2822.	Patrick Desmond. 50 acres, at 3s. Nelson, County of Northumberland. Recorded 22d November, 1837. Conditions—First instalment.	£7 10 0	1 17 6
261.	193.	2823.	Thomas Arnold. 100 acres, at 2s. 6d. Salisbury, County of Westmorland. Recorded 25th November, 1837. Conditions—Whole amount.	12 10 0	12 10 0
		2824.	James Kilday. 100 acres, Saint Patrick, County of Charlotte. Recorded 25th November, 1837. Military grant.	0 0 0	0 0 0
256.	190.	2825.	John Schofield. 100 acres, at 2s. 6d. Chatham, County of Northumberland. Recorded 25th November, 1837. Conditions—Whole amount.	12 10 0	12 10 0
273.	210.	2826.	Jacob Carvell. Town Lot, Blackville, County of Northumberland. Recorded 30th November, 1837. Conditions—Whole amount.	10 0 0	10 0 0
276.	214.	2827.	Edward Power. 100 acres, at 2s. 6d. Kingsclear, County of York. Recorded 4th December, 1837. Conditions.—Whole amount.	12 10 0	12 10 0
284.	239.	2828.	Alexander M'Ewan, 100 acres, at 2s. 6d. Blackville, County of Northumberland. Recorded 8th December, 1837. Conditions—Whole amount.	12 10 0	12 10 0
285.	240.	2829.	John M'Ewan. 100 acres, at 2s. 6d. Blackville, County of Northumberland. Recorded 8th December, 1837. Conditions.—Whole amount.	12 10 0	12 10 0
286.	241.	2830.	W. L. M'Ewan. 76 acres, at 2s. 6d. Blackville, County of Northumberland. Recorded 8th December, 1837. Conditions.—Whole amount.	9 10 0	9 10 0
287.	242.	2831.	Hugh M'Ewan. 100 acres, at 2s. 6d. Blackville, County of Northumberland. Recorded 8th December, 1837. Conditions.—Whole amount.	12 10 0	12 10 0
288.	243.	2832.	Joseph Vondy. 100 acres, at 2s. 6d. Carraquet, County of Gloucester. Recorded 8th December, 1837. Conditions.—Whole amount.	12 10 0	12 10 0
289.	244.	2833.	Lawrent Dugas. 100 acres, at 2s. 6d. Carraquet, County of Gloucester. Recorded 8th December, 1837. Conditions.—Whole amount.	12 10 0	12 10 0
290.	245.	2834.	Joseph Dugas. 50 acres, at 2s. 6d. Carraquet, County of Gloucester. Recorded 8th December, 1837. Conditions.—Whole amount.	6 5 0	6 5 0
			<i>Carried forward</i> ,.....		£317 8 6

# APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£317 8 6
291.	246.	2835.	Augustin Dugas. 100 acres, at 2s. 6d. Carraquet, County of Gloucester. Recorded 8th December, 1837. Conditions.—Whole amount.	£12 10 0	12 10 0
292.	247.	2836.	Michel Dugas.—50 acres, at 2s. 6d. Carraquet, County of Gloucester. Recorded 8th December, 1837. Conditions.—Whole amount.	6 5 0	6 5 0
		2837.	D. Livingston. 200 acres, Hamp- stead, Queen's County. Recorded 8th December, 1837. Military grant.	0 0 0	0 0 0
		2838.	Mary Ann Cleary. 100 acres, Saint Patrick, County of Charlotte. Recorded 8th December, 1837. Military grant.	0 0 0	0 0 0
278. 317.	213. 316.	2839.	Richard Inman. 50 acres, at 3s. Perth, County of Carleton. Recorded 18th December, 1837. Conditions.—Whole amount.	7 10 0	7 10 0
275.	215.		Thomas Power. 100 acres at 2s. 6d. Kingsclear, County of York. Conditions.—10 per cent. deposit.	12 10 0	1 5 0
Total,.....					£344 18 6

## INSTALMENTS ON LAND PREVIOUSLY SOLD.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
1.	1.	1673.	C. C. Bradbury. 8000 acres, at 7s. 6d. Dumfries, County of Carleton. Recorded 18th August, 1835. Particulars of payment—Third instal- ment paid.	£3,012 10 0	£250 0 0
2.	2.	1334.	Abel Pond. 190 acres, at 3s. 6d. Lud- low, County of Northumberland. Recorded 25th June, 1834. Paid 3d instalment.	33 5 0	8 6 3
5.	5.	1465.	James Millican. 952 acres, at 4s. Portland, County of Saint John. Recorded 29th December, 1834. Paid 4th instalment.	190 8 0	47 12 0
7.	7.	1689.	Cumming Robinson. 1600 acres, at 5s. 3d. County of York. Recorded 31st August, 1835. Paid 3d instalment.	420 0 0	105 0 0
8.	8.	1545.	John Montgomery. 120 acres, at 4s. Saint Patrick, County of Charlotte. Recorded 28th April, 1835. Paid 2d and 3d instalment.	24 0 0	12 0 0
<i>Carried forward</i> ,.....					£422 18 3

# APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£422 18 3
17.	16.	2279.	James Millican. 590 acres, at 5s. Portland, County of Saint John. Recorded 26th August, 1836. Paid 2d instalment.	147 10 0	36 17 6
19.	18.	2280.	John Mills. 50 acres, at 10s. Wake- field, County of Carleton. Recorded 27th August, 1836. Paid 2d instalment.	25 0 0	6 5 0
28.	29.	1577.	John Brown. 260 acres, at 3s. 6d. Saint Martin, County of Saint John. Recorded 22d June, 1835. Paid 3d instalment.	45 10 0	11 7 6
40.	41.	819.	B. M'Lauchlin. 100 acres, at 3s. 6d. Sussex, King's County. Recorded 12th December, 1832. Paid 3d and 4th instalment.	17 10 0	8 15 0
41.	42.	1052.	James Seymour. 200 acres, at 2s. 7d. Saint Martin, County of Saint John. Recorded 1st August, 1833. Balance, 3d and 4th instalment.	26 0 0	6 0 0
46.	47.	1059.	Alexander Hamilton. 7 acres, 3 rods and 8 poles, Addington, County of Gloucester. Recorded 9th August, 1833. Paid 2d, 3d and 4th instalment.	45 0 0	33 15 0
48.	49.	2522.	Luke Goddin. 50 acres, at 3s. Car- raquet, County of Gloucester. Recorded 17th December, 1836. Paid 2d, 3d and 4th instalment.	7 10 0	5 12 6
49.	50.	1409.	Edward Farrell. 90 acres, at 3s. 6d. Nelson, County of Northumberland. Recorded 1st October, 1834. Paid 4th instalment.	15 15 0	3 18 9
56.	57.	2329.	John Wright. 200 acres, at 2s. Hamp- ton, King's County. Recorded 5th October, 1836. Paid 3d and 4th instalment.	20 0 0	10 0 0
64.	65.	1541.	Stephen Stiles. 100 acres, at 4s. Hope- well, County of Westmorland. Recorded 10th April, 1835. Paid 3d and 4th instalment.	20 0 0	10 0 0
67.	68.	1421.	J. Sutherland. 100 acres, at 4s. 9d. Blissfield, County of Northumberland. Recorded 15th October, 1834. Paid 4th instalment.	23 15 0	5 18 9
68.	69.	2524.	J. Mailett. 100 acres, at 1s. 6d. County of Gloucester. Recorded 19th December, 1836. Paid 2d, 3d and 4th instalment.	15 0 0	11 5 0
69.	70.	268.	Partrick Smith. 112 acres, at 2s. 6d. Glenelg, County of Northumberland.		
			<i>Carried forward</i> ,.....		£572 13 3

# APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£572 13 3
			Recorded 15th February, 1831.		
			Paid 4th instalment.	14 0 0	3 10 0
			Six years and seven months interest.		1 7 6
74.	75.	263.	Thomas Conroy. 200 acres, at 2s. Glenelg, County of Northumberland.		
			Recorded 15th February, 1831.		
			Paid 4th instalment and interest.	20 0 0	6 19 6
75.	76.	2651.	C. G. Bluemortier. 50 acres, at 3s. 6d. Grand Manan, County of Charlotte.		
			Recorded 15th February, 1837.		
			Paid 2d instalment.	8 15 0	2 3 9
76.	77.	1396.	Martin Craig. 90 acres, at 3s. 6d. Westfield King's County.		
			Recorded 11th September, 1834.		
			Paid 4th instalment.	15 15 0	3 18 9
77.	79.	1605.	Moses Vinneau. 50 acres, at 3s. Saumarez, County of Gloucester.		
			Recorded 17th July, 1835.		
			Paid 2d, 3d and 4th instalment.	7 10 0	5 12 6
78.	80.	1602.	E. Lantain. 19 acres, at 7s. 10d. Car- raquet, County of Gloucester.		
			Recorded 17th July, 1835.		
			Paid 2d instalment.	7 10 0	1 17 6
79.	81.	2730.	Augustin Lousier. 119 acres, at 2s. 6d. Saumarez, County of Gloucester.		
			Recorded 3d April, 1837.		
			Paid 2d, 3d and 4th instalment	14 17 6	11 3 1½
80.	82.	2729.	Tranquil Lousier. 150 acres, at 2s. 6d. Saumarez, County of Gloucester,		
			Recorded 3d April, 1837.		
			Paid 3d instalment.	18 15 0	4 13 9
84.	85.	1615.	J. M'Donald. 100 acres, at 3s. 3d. Glenelg, County of Northumberland.		
			Recorded 22d July, 1835.		
			Paid 2d, 3d and 4th instalment.	16 10 0	12 7 6
87.	88.	593.	Timothy Herring. 325 acres, at 2s. 5½d. Sussex, King's County.		
			Recorded 27th February, 1832.		
			Paid 2d instalment.	40 0 0	10 0 0
89.	89.	1196.	Terence M'Ginn. 100 acres, at 3s. 6d. Sussex, King's County.		
			Recorded 2d December, 1833.		
			Paid 3d instalment.	17 10 0	4 7 6
90.	91.	2300.	Michael M'Ginn. 100 acres, at 4s. Sussex, King's County.		
			Recorded 8th September, 1836.		
			Paid 2d and 3d instalment.	20 0 0	10 0 0
91.	92.	1711.	James Loial. 112 acres, at 5s. 11d. Saint James, County of Charlotte.		
			Recorded 22d September, 1835.		
			Paid 2d and 3d instalment.	33 8 0	16 14 0
			<i>Carried forward</i> ,.....		£668 8 7½

## APPENDIX.

No. of Certificate.	No. of Receipt.	No. of Record.		Amount purchase.	Amount paid.
			<i>Brought forward</i> ,.....		£668 8 7½
93.	94.	1447.	Henry Cronkhite. 150 at acres, 3s. 6d. Wicklow, County of Carleton. Recorded 14th November, 1834. Paid 4th instalment.	26 5 0	6 11 3
94.	95.	1430.	H. J. Gosline. 210 acres, at 3s. 6d. Sussex, King's County. Recorded 30th October, 1834. Paid 4th instalment.	36 15 0	8 3 9
117.	117.	456.	John Gallivan. 100 acres, at 2s. 7d. Wakefield, County of York. Recorded 26th September, 1831. Paid 3d instalment.	13 0 0	3 5 0
120.	119.	2315.	Frances Fulton. 150 acres, at 4s. Canning, Queen's County. Recorded 3d October, 1836. Paid 2d instalment.	30 0 0	7 10 0
174.	159.	1787.	James Hartley. 270 acres, at 2s. 6d. Dumfries, County of York. Recorded 12th November, 1835. Paid 3d instalment.	33 15 0	8 8 9
274.	211.	1344.	George Ball. 445 acres, at 3s. 6d. Portland, County of Saint John. Recorded 12th July, 1833. Paid 4th instalment.	77 17 6	19 9 4½
301.	267.	1436.	Alex. M'Laggan. 200 acres, at 3s. 6d. Blackville, County of Northumberland. Recorded 3d November, 1834. Paid 4th instalment.	35 0 0	8 15 0
302.	268.	1762.	John Connor. 200 acres, Blackville, County of Northumberland. Recorded 2d November, 1835. Paid 3d instalment.	45 0 0	11 5 0
303.	269.	2147.	W. Tompson. 100 acres, at 4s. Black- ville, County of Northumberland. Recorded 10th November, 1836. Paid 2d instalment.	20 0 0	5 0 0
304.	270.	2418.	Jas. Teedlan. 100 acres, at 4s. Black- ville, County of Northumberland. Recorded 10th November, 1836. Paid 2d instalment.	20 0 0	5 0 0
305.	271.	16.	Thos. Peppers. 100 acres, at 2s. Wa- terborough, County of Queen's. Recorded 31st December, 1829. Balance.	10 0 0	5 0 0
364.	363.	1437.	A. Jamieson. 100 acres, at 3s. 6d. Wakefield, County of Carleton. Recorded 4th November, 1834. Balance.	17 10 0	5 12 6
Total,.....					£762 9 2



# APPENDIX.

## LAND LEASED.

No. of Certificate.	No. of Receipt.			
51.	52.	Deputy James Davidson, Wild Meadows, Northumberland,	£10	2 6
54.	54.	Wm. Stevens, Mines and Minerals, Gloucester, (50 years),	5	1 0
277.	212.	John Alexander, } ditto, Saint Martin's, County of		
		Alfred Randall, and } Saint John, (50 years),	0	5 0
		John Brown,		
Total,			£15	8 6

## SUMMARY.

Payments recorded on account of Land sold,	£344	18	6
" " " Instalments,	762	9	3
" " " Land leased,	15	8	6
" " " Contingencies,	0	0	0
Total,	£1,122	16	3

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
January 2, 1838.*

## PAYMENTS RECORDED IN THE CROWN LAND OFFICE

*On account of Timber and Lumber sold under Licence for one year, under Licence for five years, and on account of Timber and Lumber cut in excess, from the 31st of July to the 31st December, 1837.*

## ONE YEAR.

No. of Certificate.	No. of Receipt.		Amount paid.
3.	3.	David Stewart, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
4.	4.	David Stewart, County of Northumberland. Sold at Auction, June 1837. 80 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	6 0 0
10.	10.	A. M'Laggan, County of Northumberland. Sold at Auction, June 1837. 60 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	7 17 6
11.	11.	A. M'Laggan, County of Northumberland. Sold at Auction June, 1837. 30 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	3 18 9
12.	12.	A. M'Laggan, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
13.	13.	A. M'Laggan, County of Northumberland. Sold at Auction, June 1837. 50 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	6 11 3
Carried forward,			£39 7 6

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£39 7 6
14.	14.	A. M'Laggan, County of Northumberland. Sold at Auction, June 1837. 50 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	6 11 3
15.	15.	William Moore, County of York. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
20.	23.	Peter Esson, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
21.	24.	Peter Esson, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
22.	19.	F. W. Underhill, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
23.	20.	F. W. Underhill, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
24.	21.	F. W. Underhill, County of Northumberland. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
25.	25.	F. Gillespie, County of York. Sold at Auction, June 1837. 30 M. Lumber, at 5s. 1d.—Paid 2d, 3d and 4th instalment.	5 14 4½
26.	26.	Ezekiel Seely, County of York. Sold at Auction, June 1837. 30 M. Lumber, at 5s. 11d.—Paid 2d, 3d and 4th instalment.	6 13 1½
27.	27.	Nehemiah Gillman, County of York. Sold at Auction, June 1837. 50 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	3 15 0
29.	30.	James Langen, Queen's County. Sold at Auction, June 1837. 100 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	13 2 6
30.	31.	James Langen, Queen's County. Sold at Auction, June 1837. 60 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	7 17 6
31.	32.	Peter Stewart, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
32.	34.	Peter Stewart, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
33.	33.	Peter Stewart, County of Gloucester. Sold at Auction, June 1837. 150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
34.	35.	D. H. Anderson, County of Charlotte. Sold at Auction, June 1837. 60 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	4 10 0
	48.	Patrick Long, County of Northumberland.	
		<i>Carried forward</i> ,.....	£166 6 3
		RS	

# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£166 6 3
		Sold at Auction, July 1837.	
		50 tons Timber, at 1s. 9d.—Paid 2d, 3d and 4th instalment.	3 5 7½
50.	51.	Daniel Small, County of Sunbury.	
		Sold at Auction, July 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
52.	55.	F. W. Underhill, County of Northumberland.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
53.	53.	J. J. Kennedy, King's County.	
		Sold at Auction, July 1837.	
		60 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	7 17 6
55.	56.	V. Pickard, County of York.	
		Sold at Auction, July 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
57.	58.	R. Dickenson, County of Carleton.	
		Sold at Auction, July 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
65.	66.	Melzer Drake, County of Sunbury.	
		Sold at Auction, July 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
66.	67.	Stephen Hilton, County of Northumberland.	
		Sold at Auction, July 1837.	
		100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	11 5 0
71.	72.	A. Cumberland, County of Charlotte.	
		Sold at Auction, July 1837.	
		40 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	5 5 0
82.	83.	John Pond, County of Northumberland.	
		Sold at Auction, July 1837.	
		100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
83.	84.	John Pond, County of Northumberland.	
		Sold at Auction, July 1837.	
		50 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	3 15 0
95.	96.	A. Ferguson, County of Gloucester.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	11 5 0
96.	97.	William Napier, County of Gloucester.	
		Sold at Auction, June 1837.	
		80 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	6 0 0
97.	98.	Joseph Read, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
98.	99.	Joseph Read, County of Gloucester.	
		Sold at Auction, June 1837.	
		200 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	15 0 0
99.	100.	H. Montgomery, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
100.	101.	H. Montgomery, County of Gloucester.	
		Sold at Auction, July 1837.	
		60 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	4 10 0
		<i>Carried forward</i> ,.....	£316 19 4½

# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£316 19 4½
101.	102.	H. Montgomery, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
102.	105.	H. Montgomery, County of Gloucester. Sold at Auction, June 1837. 60 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	4 10 0
103.	106.	D. M'Leod, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
104.	107.	D. M'Leod, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	7 10 0
106.	108.	D. M'Leod, County of Gloucester. Sold at Auction, June 1837. 250 tons Timber, at 3s.—Balance.	11 5 0
107.	104.	R. Tracey, County of Sunbury. Granted in Council, October 1837. 60 tons Timber, at 3s.—Whole paid.	6 0 0
109.	110.	J. J. Donald, County of Northumberland. Granted in Council, October 1837. 100 tons Timber, at 1s. 9d.—Whole paid.	14 0 0
110.		James Smith, County of Sunbury. Granted in Council, October 1837. 4 M. Rails, 10s.—Whole paid.	2 0 0
111.	111.	W. Colwell, Queen's County. Granted in Council, October 1837. 20 M. Lumber, at 3s. 6d.—Whole paid.	3 10 0
112.	112.	Alexander M'Laggan, County of Northumberland. Granted in Council, October, 1837 20 M. Lumber, at 3s. 6d.—Whole paid.	3 10 0
113.	113.	John Colwell, Queen's County. Granted in Council, October 1837. 30 M. Lumber, at 1s. 6d.—Whole paid.	5 5 0
119.	115.	T. W. Underhill, County of Northumberland. Sold at Auction, June 1837. 150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
127.	125.	J. F. Taylor, County of York. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
128.	126.	James Taylor, County of Carleton. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
129.	127.	James Taylor, County of Carleton. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
132.	129.	David Dow, County of York. Sold at Auction, July 1837. 30 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	3 18 9
133.	130.	Arthur Ritchie, County of Gloucester.	
		<i>Carried forward</i> ,.....	£430 18 1½

# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£430 18 1½
		Granted in Council, October 1837.	
		100 tons Timber, at 2s.—Whole paid.	10 0 0
134.	131.	Arthur Ritchie, County of Gloucester.	
		Granted in Council, October 1837.	
		100 tons Timber, at 2s.—Whole paid.	10 0 0
135.	132.	Arthur Ritchie, County of Gloucester.	
		Granted in Council, October 1837.	
		50 tons Timber, at 2s.—Whole paid.	5 0 0
136.	133.	Arthur Ritchie, County of Gloucester.	
		Granted in Council, October 1837.	
		150 tons Timber, at 2s.—Whole paid.	15 0 0
137.	134.	Arthur Ritchie, County of Gloucester.	
		Granted in Council, October 1834.	
		150 tons Timber, at 2s.—Whole paid.	15 0 0
138.	135.	F. Ferguson, County of Gloucester.	
		Granted in Council, October 1837.	
		200 tons Timber, at 2s.—Whole paid,	20 0 0
139.	136.	Alexander Rankin, County of Northumberland.	
		Granted in Council, October 1837.	
		30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
140.	137.	Alexander Rankin, County of Northumberland.	
		Granted in Council, October 1837.	
		30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
141.	138.	Alexander Rankin, County of Northumberland.	
		Granted in Council, October 1837.	
		30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
142.	139.	James Fowler, County of Northumberland.	
		Granted in Council, October 1837.	
		50 tons Timber, at 2s.—Whole paid.	5 0 0
143.	140.	D. Stewart, County of Northumberland.	
		Granted in Council, October 1837.	
		60 tons Timber, at 2s.—Whole paid.	6 0 0
144.	141.	D. Stewart, County of Northumberland.	
		Granted in Council, October 1837.	
		50 tons Timber, at 2s.—Whole paid.	5 0 0
145.	142.	D. Stewart, County of Northumberland.	
		Granted in Council, October 1837.	
		50 tons Timber, at 2s.—Whole paid.	5 0 0
146.	143.	D. Stewart, County of Northumberland.	
		Granted in Council, October 1837.	
		100 tons Timber, at 2s.—Whole paid.	10 0 0
147.	144.	D. Stewart, County of Northumberland.	
		Granted in Council, October 1837.	
		100 tons Timber, at 2s.—Whole paid.	10 0 0
148.	150.	J. T. Williston, County of Gloucester.	
		Granted in Council, October 1837.	
		200 tons Timber, at 2s.—Whole paid.	20 0 0
149.	151.	Joseph Cunard, County of Northumberland.	
		Granted in Council, October 1837.	
		100 tons Timber, at 2s. and 20 M. Lumber, at 3s. 6d.—	
		Whole paid.	13 10 0
		<i>Carried forward</i> ,.....	£596 3 1½

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£596 3 1½
150.		J. T. Williston, County of Northumberland. Granted in Council, October 1837. 100 tons Timber, at 2s.—Whole paid.	10 0 0
155.	168.	H. Ramsay, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
156.	169.	H. Ramsay, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
157.	170.	H. Ramsay, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
158.	171.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
159.	196.	J. M. Connell, County of Carleton. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
160.	197.	J. M. Connell, County of Carleton. Sold at Auction, June 1837. 80 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	6 0 0
161.	198.	J. M. Connell, County of Carleton. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
162.	199.	J. M. Connell, County of Carleton. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
163.	272.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
164.	273.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 50 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	3 15 0
165.	274.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
166.	275.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
167.	276.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
168.	154.	Israel Smith, County of York. Granted in Council, October 1837. 20 M. Lumber, at 3s. 6d.—Whole paid.	3 10 0
169.	155.	A. M'Laggan, County of Northumberland. Granted in Council, October 1837. 50 tons Timber, at 2s.—Whole paid.	5 0 0
170.	156.	H. M'Kenzie, County of Northumberland.	
		<i>Carried forward</i> ,.....	£706 18 1½

# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£706 18 1½
		Granted in Council, October 1837.	
		35 M. Lumber, at 3s. 6d.—Whole paid.	6 2 6
171.	157.	Z. Hawkins, County of Charlotte.	
		Granted in Council, November 1837.	
		30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
172.	178.	B. N. Underhill, County of Northumberland.	
		Granted in Council, November 1837.	
		60 tons Timber, at 2s.—Whole paid.	6 0 0
175.	277.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
177.	278.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
178.	279.	Joseph Cunard, County of Northumberland.	
		Sold at Auction, June 1837.	
		300 tons Timber at 2s.—Paid 2d, 3d and 4th instalment.	22 10 0
179.	280.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
180.	281.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
181.	282.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
182.	283.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
190.	284.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		80 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	6 0 0
191.	285.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
192.	286.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
193.	287.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
194.	288.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		80 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	6 0 0
195.	289.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
196.	290.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
		<i>Carried forward</i> ,.....	£875 0 7½

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£875 0 7½
197.	291.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
198.	292.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
199.	293.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
200.	294.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
201.	295.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
202.	296.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
203.	297.	Joseph Cunard, County of Northumberland. Sold at Auction, July 1837. 200 tons Timber, at 2s. 8d.—Paid 2d, 3d and 4th instalment.	20 0 0
204.	298.	Joseph Cunard, County of Northumberland. Sold at Auction, July 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
205.	299.	Joseph Cunard, County of Northumberland. Sold at Auction, July 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
206.	300.	Joseph Cunard, County of Northumberland. Sold at Auction, July 1837. 60 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	4 10 0
207.	301.	Joseph Cunard, County of Northumberland. Sold at Auction, July 1837, 150 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	19 13 9
208.	302.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
209.	303.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	13 2 6
210.	249.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
211.	250.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
212.	251.	Joseph Cunard, County of Gloucester. Sold at Auction, June 1837. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
213.	252.	Joseph Cunard, County of Gloucester.	
		<i>Carried forward</i> ,.....	£1,059 16 10½



# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£1,059 16 10½
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
214.	253.	Joseph Cunard, County of Gloucester.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
215.	254.	B. Wolhaupter, County of Sunbury.	
		Sold at Auction, July 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
216.	255.	B. Wolhaupter, County of Northumberland.	
		Sold at Auction, July 1837.	
		100 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	13 2 6
217.	256.	B. Wolhaupter, County of Northumberland.	
		Sold at Auction, June 1837.	
		150 tons Timber, at 2s. 4d.—Paid 2d, 3d and 4th instalment.	13 2 6
218.	257.	J. T. Williston, County of Kent.	
		Sold at Auction, June 1837.	
		200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
219.	258.	J. T. Williston, County of Northumberland.	
		Sold at Auction, June 1837.	
		50 tons Timber, at 2s. and 50 M. Lumber, at 3s. 6d.— Paid 2d, 3d and 4th instalment.	10 6 3
220.	172.	George Morrow, County of Sunbury.	
		Sold at Auction, June 1837.	
		50 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	6 11 3
221.	173.	George Morrow, County of Sunbury.	
		Sold at Auction, June 1837.	
		60 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	7 17 6
222.	174.	George Morrow, County of York.	
		Sold at Auction, June 1837.	
		30 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	3 18 9
230.	216.	Thomas Powell, County of Kent.	
		Sold at Auction, June 1836.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
231.	217.	J. M'Millan, County of Kent.	
		Sold at Auction, June 1886.	
		300 tons Timber, at 3s.—Paid 2d, 3d and 4th instalment.	33 15 0
232.	218.	J. M'Millan, County of Kent.	
		Sold at Auction, June 1836.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
233.	219.	M. Atkinson, County of Kent.	
		Sold at Auction, September 1836.	
		100 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	7 10 0
234.	220.	J. Sowerby, County of Kent.	
		Sold at Auction, September 1836.	
		60 tons Timber, at 2s. and 60 M. Lumber, at 3s. 6d.— Paid 2d, 3d and 4th instalment.	12 7 6
235.	221.	T. Murray, County of Kent.	
		Sold at Auction, October 1836.	
		150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
		<i>Carried forward</i> ,.....	£1,250 18 1½

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£1,250 18 1½
236.	222.	T. Murray, County of Kent. Sold at Auction, October 1836. 50 tons Timber, at 2s. and 150 tons at 2s. 6d.—Paid 2d, 3d and 4th instalment.	17 16 3
237.	223.	T. Murray, County of Kent. Sold at Auction, October 1836. 40 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	5 5 0
238.	224.	W. Dougherty, County of Kent. Sold at Auction, October 1836. 20 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	2 12 6
239.	225.	Thomas Johnson, County of Kent. Sold at Auction, February 1837. 150 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	11 5 0
240.	226.	Stephen White, County of Kent. Sold at Auction, June 1836. 200 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	15 0 0
252.	182.	J. Leighton, County of Northumberland. Granted in Council, October 1837. 30 M. Lumber, at 3s. 6d.—Whole amount.	5 5 0
253.	183.	J. Russell, County of Northumberland. Granted in Council, October 1837. 100 M. Lumber, at 3s. 6d.—Whole paid.	17 10 0
254.	184.	Patrick Long, County of Northumberland. Granted in Council, October 1837. 50 tons Timber, at 1s. 9d.—Whole paid.	4 7 6
255.	185.	William Little, County of York. Granted in Council, October 1837. 50 tons Timber, at 2s.—Whole paid.	5 0 0
257.	191.	S. Tapley, County of Carleton. Granted in Council, October 1837. 100 tons Timber, at 1s. 6d.—Whole paid.	7 10 0
258.	192.	Robert Kerr, County of Carleton. Granted in Council, October 1837. 200 tons Timber, at 1s. 6d.—Whole paid.	15 0 0
259.	188.	A. B. Sharp, County of Carleton. Granted in Council, November 1837. 100 tons Timber, at 1s. 6d.—Whole paid.	7 10 0
260.	195.	Alexander Foster, County of Northumberland. Granted in Council, October 1837. 60 M. Lumber, at 3s. 6d.—Whole paid.	10 10 0
262.	194.	Robert Bell, County of Northumberland. Granted in Council, November 1837. 60 tons Timber, at 2s.—Whole paid.	6 0 0
236.	200.	James Balloch, County of Carleton. Sold at Auction, June 1837. 70 tons Timber, at 1s. 6d.—Paid 2d, 3d and 4th instalment.	3 18 9
264.	201.	Alexander Rankin, County of Northumberland. Granted in Council, November 1837. 30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
		<i>Carried forward</i> ,.....	£1,390 13 1½

# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward,</i> .....	£1,390 13 1½
265.	202.	Alexander Rankin, County of Northumberland. Granted in Council, November 1837. 30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
266.	203.	Alexander Rankin, County of Northumberland. Granted in Council, November 1837. 100 M. Lumber, at 3s. 6d.—Whole paid.	17 10 0
267.	204.	Arthur Ritchie, County of Gloucester. Granted in Council, November 1837. 150 tons Timber, at 2s.—Whole paid.	15 0 0
268.	205.	R. Crocker, County of Northumberland. Granted in Council, November 1837. 30 M. Lumber, at 3s. 6d.—Whole paid.	5 5 0
269.	206.	M. M'Millan, County of Northumberland. Granted in Council, November 1837. 100 tons Timber, at 1s. 9d.—Whole paid.	8 15 0
270.	207.	Charles M'Pherson, County of York. Sold at Auction, June 1837. 50 tons Timber, at 1s 6d.—Paid 2d, 3d and 4th instalment.	2 16 3
271.	208.	Charles M'Pherson, County of York. Sold at Auction, June 1837. 50 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	6 11 3
282.	237.	J. Cameron, Queen's County. Sold at Auction, July 1837. 40 M. Lumber, at 3s. 6d.—Paid 2d, 3d and 4th instalment.	5 5 0
283.	238.	D. Stewart, County of Northumberland. Granted in Council, November 1837. 100 tons Timber, at 2s.—Whole paid.	10 0 0
293.	248.	C. M'Pherson, County of York. Granted in Council, November 1837. 20 M. Lumber, at 3s. 6d.—Whole paid.	3 10 0
294.	260.	C. Connolly, County of Sunbury. Sold at Auction, June 1837. 60 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	4 10 0
306.	304.	T. E. Perley, County of Carleton. Granted in Council, November 1837. 50 tons Timber, at 2s.—Whole paid.	5 0 0
307.	305.	Charles Perley, County of York. Granted in Council, November 1837. 60 tons Timber, at 2s.—Whole paid.	6 0 0
308.	306.	Joseph Cunard, County of Gloucester. Granted in Council, November 1837. 50 tons Timber, at 2s.—Whole paid.	5 0 0
309.	307.	Joseph Cunard, County of Northumberland. Granted in Council, November 1837. 50 M. Lumber, at 3s. 6d.—Whole paid.	8 15 0
310.	308.	Joseph Cunard, County of Gloucester. Granted in Council, November 1837. 50 tons Timber, at 2s.—Whole paid.	5 0 0
311.	309.	J. Montgomery, County of Gloucester.	
		<i>Carried forward,</i> .....	£1,504 15 7½

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£1,504 15 7½
		Granted in Council, November 1837.	
		50 M. Lumber, at 3s. 6d.—Whole paid.	8 15 0
312.	310.	J. Montgomery, County of Gloucester.	
		Granted in Council, November 1837.	
		50 M. Lumber, at 3s. 6d.—Whole paid.	8 15 0
313.	311.	R. Ferguson, County of Gloucester.	
		Granted in Council, November 1837.	
		100 tons Timber, at 2s.—Whole paid,	10 0 0
314.	312.	P. Sutherland, County of Gloucester.	
		Granted in Council, November 1837.	
		60 M. Lumber, at 3s. 6d.—Whole paid.	10 10 0
315.	313.	P. Sutherland, County of Gloucester.	
		Granted in Council, November 1837.	
		100 tons Timber, at 2s.—Whole paid.	10 0 0
316.	314.	William Napier, County of Gloucester.	
		Granted in Council, November 1837.	
		200 tons Timber, at 2s.—Whole paid.	20 0 0
318.	317.	G. M. Porter, County of York.	
		Granted in Council, November 1837.	
		80 M. Lumber, at 3s. 6d.—Whole paid.	14 0 0
319.	315.	James Taylor, County of York.	
		Granted in Council, November 1837.	
		300 tons Timber, at 2s.—Whole paid.	30 0 0
321.	320.	Alexander M'Laggan, County of Northumberland.	
		Granted in Council, November 1837.	
		40 M. Lumber, at 3s. 6d.—Whole paid.	7 0 0
324.	322.	James Vernon, County of Charlotte.	
		Granted in Council, November 1837.	
		120 M. Lumber at 2s.—Whole paid.	21 0 0
356.	364.	J. S. Patterson, County of York.	
		Sold at Auction, July 1837.	
		80 tons Timber, at 2s.—Paid 2d, 3d and 4th instalment.	6 0 0
		Total,.....	£1,650 15 7½

## LICENCED FOR FIVE YEARS.

No. of Certificate.	No. of Receipt.		Amount paid.
39.	40.	Thomas Hartt, York, two square miles. Licence No. 130, issued May 1836. 60 M. Lumber annually, at 3s. 6d. First instalment—2d year.	£2 12 6
42.	43.	R. Tracey, York, two and a half square miles. Licence No. 151, issued May 1836. 60 M. Lumber annually, at 3s. 6d. Third and fourth instalment—1st year.	5 5 0
45.	46.	N. Gillman, four and a half square miles. Licence No. 81, issued May 1836.	
		<i>Carried forward</i> ,.....	£7 17 6

# APPENDIX.

No. of Certificate.	No. of Receipt.		
		<i>Brought forward</i> ,.....	£7 17 6
		180 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	9 0 0
58.	59.	P. Clinch, Charlotte, twenty four square miles. Licence No. 25, issued May 1835. 480 M. Lumber annually, at 3s. 6d. Third and fourth instalment—2d year.	42 0 0
59.	60.	P. Clinch, Charlotte, six square miles. Licence No. 26, issued May 1835. 120 M. Lumber annually, at 3s. 6d. Third and fourth instalment—2d year.	10 10 0
60.	61.	James Stephenson, York, six square miles. Licence No. 195, issued May 1836. 120 M. Lumber annually, at 3s. 6d. Whole amount—1st year.	21 0 0
61.	62.	Jas. Fraser, Junior, Sunbury, eight square miles. Licence No. 206, issued May 1837. 160 M. Lumber annually, at 3s. 6d. Whole amount—1st year.	28 0 0
63.	64.	N. D. Shaw, Charlotte, forty three and a half square miles. Licence No. 148, issued May 1836. 870 M. Lumber annually, at 3s. 9d. Second, third and fourth instalment—1st year.	122 6 6
70.	71.	A. Menzies, Saint John, six square miles. Licence No. 69, issued May 1836. 120 M. Lumber annually, at 3s. 6d. First instalment—2d year.	5 5 0
105.	103.	R. Tracey, York, two and a half square miles. Licence No. 151, issued May 1836. 60 M. Lumber annually, at 3s. 6d. First and second instalments—2d year.	5 5 0
108.	109.	N. Gillman, York, four and a half square miles. Licence No. 81, issued May 1836. 180 tons Timber annually, at 2s. First instalment—2d year.	4 10 0
114.	114.	P. Sutherland, Gloucester, six square miles. Licence No. 134, issued May 1836. 240 tons Timber annually, at 2s. First and second instalment—1st year.	12 10 0
118.	118.	J. P. Ford, Kent, seven and a half miles. Licence No. 237, issued May 1837. 100 M. Lumber annually, at 3s. 6d. First instalment—1st year.	4 7 6
121. 224.	176.	F. Fulton, Queen's, seven square miles. Licence No. 239, issued May 1836. 140 M. Lumber annually, at 3s. 6d. Mileage.	7 0 0
122.	120.	T. Nason, Junior, York, four square miles. Licence No. 78, issued May 1836. 80 M. Lumber annually, at 3s. 6d. Third and fourth instalment—1st year.	7 0 0
126.	122.	J. Mercereaux, York, three square miles. Licence No. 101, issued May 1836.	
		<i>Carried forward</i> ,.....	£286 1 6

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> .....	£286 1 6
		60 M. Lumber annually, at 3s. 6d. First instalment—2d year.	2 12 6
130.	138.	B. A. Huestis, York, eight square miles. Licence No. 240, issued May 1837. 160 M. Lumber annually, at 3s. 6d. Mileage.	8 0 0
152.	147.	J. F. Taylor, York, four square miles. Licence No. 197, issued May 1836. 160 tons Timber annually, at 2s. Third and fourth instalment—1st year.	8 0 0
153.	148.	J. F. Taylor. First and second instalment—3d year.	8 0 0
154.	153.	E. J. Budd, Saint John, eighteen square miles. Licence No. 238, issued May 1837. 360 M. Lumber annually, at 3s. 6d. First instalment—1st year.	15 15 0
176.	166.	D. Gilmour, Charlotte, eleven and a half square miles. Licence No. 174, issued May 1836. 230 M. Lumber annually, at 3s. 6d. Second instalment—1st year.	10 1 3
183.	160.	Henry Jones, York, four square miles. Licence No. 23, issued May 1835. 160 tons Timber annually, at 2s. Third and fourth instalment—2d year.	8 0 0
184.	161.	Henry Jones. First instalment—3d year.	4 0 0
185.	162.	D. Phillips, York, three and a half square miles. Licence No. 28, issued May 1835. 140 tons Timber annually, at 2s. Second, third and fourth instalment—2d year.	10 10 0
186.	163.	D. Phillips. First instalment—3d year.	3 10 0
187.	164.	D. Phillips, Carleton, eight square miles. Licence No. 35, issued May 1835. 320 tons Timber annually, at 2s. Third and fourth instalment—2d year.	16 0 0
188.	165.	D. Phillips. First instalment—3d year.	8 0 0
225.		E. J. Budd, Saint John, eighteen square miles. Licence No. 238, issued May 1837. 360 M. Lumber annually, at 3s. 6d. Mileage.	18 0 0
228.	186.	John Marks, Charlotte, six square miles. Licence No. 241, issued May 1837. 240 tons Timber annually, at 2s. Mileage.	6 0 0
229.	187.	J. DeWitt, York, three square miles. Licence No. 242, issued May 1837. 60 M. Lumber annually, at 3s. 6d. Mileage.	3 0 0
244.	180.	J. Whitney, York, two square miles. Licence No. 193, issued May 1836. 40 M. Lumber annually, at 3s. 6d. Whole amount—1st year.	7 0 0
		<i>Carried forward</i> .....	£422 10 3

## APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£422 10 3
272.	209.	A. Ritchie, Gloucester, fifteen square miles. Licence No. 120, issued May 1836. 600 tons Timber annually, at 2s. Balance of mileage.	3 0 0
280.	235.	Alexander Boone, Sunbury, four square miles. Licence No. 198, issued May 1836. 80 M. Lumber annually, at 3s. 6d. Whole amount—1st year.	14 0 0
281.	236.	Alexander Boone. First instalment—2d year.	3 10 0
295.	262.	G. Morrow, Sunbury, three square miles. Licence No. 74, issued May 1836. 120 tons Timber annually, at 2s. Second, third and fourth instalment—1st year.	9 0 0
296.	263.	G. Morrow, Sunbury, nine square miles. Licence No. 75, issued May 1836. 360 tons Timber annually, at 2s. Second, third and fourth instalment—1st year.	27 0 0
297.	264.	G. Morrow, York, three square miles. Licence No. 169, issued May 1836. 60 M. Lumber annually, at 2s. Second, third and fourth instalment—1st year.	7 17 6
300.	261.	N. Gilman, York, four and a half square miles. Licence No. 81, issued May 1836. 180 tons Timber annually, at 2s. Second instalment—2d year.	4 10 0
320.	318.	Thomas Hartt, York, two square miles. Licence No. 130, issued May 1836. 60 M. Lumber annually, at 3s. 6d. Second instalment—2d year.	2 12 6
322.	319.	D. Smith, York, two square miles. Licence No. 85, issued May 1836. 60 M. Lumber annually, at 3s. 6d. First and second instalment—1st year.	5 5 0
325.	323.	S. P. Estabrooks, Kent, six square miles. Licence No. 243, issued May 1837. 240 tons Timber annually, at 2s. Mileage.	2 0 0
326.	324.	S. P. Estabrooks, Kent, six square miles. Licence No. 243, issued May 1837. First instalment—1st year.	6 0 0
327.	327.	A. Ritchie, Gloucester, twelve square miles. Licence No. 100, issued May 1836. 480 tons Timber annually, at 2s. Third and fourth instalment—1st year.	24 0 0
328.	328.	A. Ritchie, Gloucester, twelve square miles. Licence No. 100, May 1836. First and second instalment—2d year.	24 0 0
329.	329.	A. Ritchie, Gloucester, three square miles. Licence No. 99, May 1836. 120 tons Timber annually, at 2s. Third and fourth instalment—1st year.	6 0 0
		<i>Carried forward</i> ,.....	£561 5 3

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£561 5 3
330.	330.	A. Ritchie, Gloucester, three square miles. Licence No. 99, issued May 1836. First and second instalment—2d year.	6 0 0
331.	331.	A. Ritchie, Gloucester, seven and a half square miles. Licence No. 98, issued May 1836. 350 tons Timber annually, at 2s. Third and fourth instalment—1st year.	17 10 0
332.	332.	A. Ritchie, Gloucester, seven and a half square miles. Licence No. 98, issued May 1836. First and second instalment—2d year.	17 10 0
333.	333.	A. Ritchie, Gloucester, four and a half square miles. Licence No. 97, issued May 1836. 180 tons Timber annually, at 2s. Third and fourth instalment—1st year.	9 0 0
334.	334.	A. Ritchie, Gloucester, four and a half square miles. Licence No. 97, issued May 1836. First and second instalment—2d year.	9 0 0
335.	335.	A. Ritchie, Gloucester, one and a half square miles. Licence No. 108, issued May 1836. 40 M. Lumber annually, at 3s. 6d. Third and fourth instalment—1st year.	3 10 0
336.	336.	A. Ritchie, Gloucester, one and a half square miles. Licence No. 108, issued May 1836. First and second instalment—2d year.	3 10 0
337.	337.	A. Ritchie, Gloucester, six square miles. Licence No. 109, issued May 1836. 240 tons Timber annually, at 2s. Third and fourth instalment—1st year.	12 0 0
338.	338.	A. Ritchie, Gloucester, six square miles. Licence No. 109, issued May 1836. First and second instalment—2d year.	12 0 0
339.	339.	A. Ritchie, Gloucester, five square miles. Licence No. 110, issued May 1836. 200 tons Timber annually, at 2s. Third and fourth instalment—1st year.	10 0 0
340.	340.	A. Ritchie, Gloucester, five square miles. Licence No. 110, issued May 1836. First and second instalment—2d year.	10 0 0
341.	341.	A. Ritchie, Gloucester, three square miles. Licence No. 111, issued May 1836. 120 tons Timber annually, at 2s. Third and fourth instalment—1st year.	6 0 0
342.	342.	A. Ritchie, Gloucester, three square miles. Licence No. 111, issued May 1836. First and second instalment—2d year.	6 0 0
343.	343.	A. Ritchie, Gloucester, twelve and a half square miles. Licence No. 112, issued May 1836. 500 tons Timber annually, at 2s. Third and fourth instalment—1st year.	25 0 0
344.	344.	A. Ritchie, Gloucester, twelve and a half square miles.	
		<i>Carried forward</i> ,.....	£708 5 3



# APPENDIX.

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£708 5 3
		Licence No. 112, issued May 1836.	
		First and second instalment—2d year.	25 0 0
345.	345.	A. Ritchie, Gloucester, twelve and a half square miles.	
		Licence No. 113, issued May 1836.	
		500 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	25 0 0
346.	346.	A. Ritchie, Gloucester, twelve and a half square miles.	
		Licence No. 113, issued May 1836.	
		500 tons Timber annually, at 2s.	
		First and second instalment—2d year.	25 0 0
347.	347.	A. Ritchie, Gloucester, six and one fourth square miles.	
		Licence No. 114, issued May 1836.	
		250 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	12 10 0
348.	348.	A. Ritchie, Gloucester, six and one fourth square miles.	
		Licence No. 114, issued May 1836.	
		First and second instalment—2d year.	12 10 0
349.	349.	A. Ritchie, Gloucester, four and a half square miles.	
		Licence No. 115, issued May 1836.	
		180 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	9 0 0
350.	350.	A. Ritchie, Gloucester, four and a half square miles.	
		Licence No. 115, issued May 1836.	
		First and second instalment—2d year.	9 0 0
351.	351.	A. Ritchie, Gloucester, nine square miles.	
		Licence No. 116, issued May 1836.	
		360 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	18 0 0
352.	352.	A. Ritchie, Gloucester, nine square miles.	
		Licence No. 116, issued May 1836.	
		First and second instalment—2d year.	18 0 0
353.	353.	A. Ritchie, Gloucester, three square miles.	
		Licence No. 117, issued May 1836.	
		120 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	6 0 0
354.	354.	A. Ritchie, Gloucester, three square miles.	
		Licence No. 117, issued May 1836.	
		First and second instalment—2d year.	6 0 0
355.	355.	A. Ritchie, Gloucester, three square miles.	
		Licence No. 118, issued May 1836.	
		120 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	6 0 0
356.	356.	A. Ritchie, Gloucester, three square miles.	
		Licence No. 118, issued May 1836.	
		First and second instalment—2d year.	6 0 0
357.	357.	A. Ritchie, Gloucester, three square miles.	
		Licence No. 119, issued May 1836.	
		120 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	6 0 0
358.	358.	A. Ritchie, Gloucester, three square miles.	
		<i>Carried forward</i> ,.....	£892 5 3

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£892 5 3
		Licence No. 119, issued May 1836.	
		First and second instalment—2d year.	6 0 0
359.	359.	A. Ritchie, Gloucester, fifteen square miles.	
		Licence No. 120, issued May 1836.	
		600 tons Timber annually, at 2s.	
		Third and fourth instalment—1st year.	30 0 0
360.	360.	A. Ritchie, Gloucester, fifteen square miles.	
		Licence No. 120, issued May 1836.	
		First and second instalment—2d year.	30 0 0
361.	325.	John Bailey, York, five square miles.	
		Licence No. 47, issued May 1835.	
		80 M. Lumber annually, at 3s. 6d.	
		Second, third and fourth instalment—2d year.	10 10 0
362.	326.	John Bailey, York, five square miles.	
		Licence No. 47, issued May 1835.	
		First instalment—3d year.	3 10 0
363.	361.	S. P. Estabrook, Kent, six square miles.	
		Licence No. 243, issued May 1837.	
		240 tons Timber annually, at 2s.	
		Second instalment—1st year.	6 0 0
366.	362.	Thomas Nason, Jun. York, four square miles.	
		Licence No. 78, issued May 1836.	
		80 M. Lumber annually, at 3s. 6d.	
		First and second instalment—2d year.	7 0 0
		<b>Total</b> ,.....	<b>£985 5 3</b>

## TIMBER AND LUMBER CUT IN EXCESS.

No. of Certificate.	No. of Receipt.		Amount paid.
6.	6.	Isaac Burpe, Sunbury, 100 M. Lumber, at 3s. 6d.	
		On application for five year Licence.	£17 10 0
9.	9.	Thomas Hartt, York, 50 M. Lumber, at 3s. 6d.	
		On Mill Reserve.	8 15 0
43.	44.	R. Tracey, Sunbury, 105 tons Timber, at 2s.	
		On five year Licence, No. 151.	10 10 0
62.	63.	Mag. Mill Company, Charlotte, 30 M. Lumber, at 3s. 6d.	
		Without Licence.	5 5 0
81.	78.	Benjamin Tibbitts, Carleton, 800 tons Timber, at 2s.	
		On five year Licence, and on application for ditto,	80 0 0
85.	86.	Charles Perley, Carleton, 80 tons Timber, at 2s.	
		Without Licence.	8 0 0
86.	87.	Charles Perley, Woodstock, 100 tons Timber, at 2s.	
		On five year Licence, No. 27.	10 0 0
115.	115,	R. Ferguson, Gloucester, 350 tons Timber, at 2s.	
		Licences 648 and 649.	35 0 0
131.	259.	J. Montgomery, Gloucester, 450 tons Timber, at 2s.	
		On application for five year Licence.	45 0 0
		<i>Carried forward</i> ,.....	£220 0 0

# APPENDIX

No. of Certificate.	No. of Receipt.		Amount paid.
		<i>Brought forward</i> ,.....	£220 0 0
151.	146.	J. F. Taylor, York, 68 tons Timber, at 2s. On five year Licence, No. 197.	6 16 0
241.	227.	J. M'Millan, Kent, 50 tons Timber, at 2s. On application, No. 40, June 1836.	5 0 0
242.	228.	M. Atkinson, Kent, 200 tons Timber, at 2s. On application No. 522, September 1836.	20 0 0
243.	229.	J. M'Millan, Kent, 250 tons Timber, at 2s. and 100 M. Lumber, at 3s. 6d. Without Licence.	42 10 0
245.	181.	J. Whitney, York, 115 tons Timber, at 2s. On five year Licence, 193.	11 10 0
246.	230.	W. M'Millan, Kent, 150 tons Timber, at 2s. Without Licence.	15 0 0
247.	231.	J. Gibbons, Kent, 60 tons Timber, at 2s. Without Licence.	6 0 0
248.	232.	G. Sutherland, Kent, 100 tons Timber, at 2s. Without licence.	10 0 0
249.	233.	J. Kinsilla, Kent, 200 tons Timber, at 2s. Without licence.	20 0 0
279.	234.	John Jardine, Kent, 600 tons Timber, at 2s. and 100 M. Lumber, at 3s. 6d. On sundry Licences.	77 10 0
298.	265.	George Morrow, Sunbury, 265 tons Timber, at 2s. On five year Licences, No. 74, 75, 169.	26 10 0
299.	266.	Thos. Nason, York, 192 M. Lumber, at 3s. 6d. On five year Licences, No. 78.	33 12 0
323.	321.	Charles Perley, 150 tons Timber, at 8s. Restook Timber.	60 0 0
		Total,.....	£554 8 0

## SUMMARY.

Payments recorded on account of Timber and Lumber, 1 year Licences,	£1,650	15	7½
" " " " " 5 " "	985	5	3
" " " " " excess "	554	8	0
	£3,190	8	10½

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
January 2, 1838.*

*The Queen's Casual Revenue in account current with the Commissioner and Surveyor General.*

1837.	Dr.	
Sept. 7.	To cash paid Receiver General,.....	£742 9 6½
Dec. 31.	To balance carried to credit in new account,.....	2000 0 0
		£2,742 9 6½

# APPENDIX.

1837.			Cr.			
June 30.	By	balance per account rendered,	£1,659	12	0½	
July 31.	By	receipts on account Land sold,	£59	6	0	
"	By	" " Instalments,	276	10	11	
"	By	" " Land leased,	26	17	2	
						362 14 1
"	By	" " Timber, 1 year Licences,	£553	18	11½	
"	By	" " " 5 year Licences,	12	15	0	
"	By	" " " excess,	153	9	6	
						720 3 5½
						£2,742 9 6½

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Freddricton, N. B.  
January 2, 1838.*

*The Revenue disbursement account, in account current with the Commissioner and Surveyor General.*

1837.			Dr.			
July 3.	To	cash paid Commissioner's Salary, to 30th June,	£504	16	1	
"	To	" J. A. Beckwith,	£87	10	0	
"	To	" W. H. Gall,	50	0	0	
"	To	" L. W. Gall,	37	10	0	
"	To	" A. S. Inches,	32	10	0	
"	To	" T. O'Connor,	25	0	0	
"	To	" A. S. Phair,	15	0	0	
"	To	" Messenger,	5	0	0	
						252 10 0
"	To	" W. M'Donald,	£47	12	6	
"	To	" ditto,	24	15	0	
"	To	" ditto,	33	1	3	
"	To	" John Davidson,	45	0	0	
"	To	" R. Stiles,	18	0	0	
"	To	" Micheal Harley,	146	5	0	
"	To	" W. Mahood,	71	15	0	
"	To	" W. J. Berton,	43	0	0	
"	To	" ditto,	512	8	9	
"	To	" B. R. Jouett,	8	2	6	
						950 0 0
Oct. 10	To	" Commissioner's Salary to 30th September,	504	16	1	
Nov. 11.	To	" J. A. Beckwith,	£87	10	0	
"	To	" W. H. Gall,	50	0	0	
"	To	" L. W. Gall,	37	10	0	
"	To	" A. S. Inches,	32	10	0	
"	To	" T. O'Connor,	25	0	0	
"	To	" A. S. Phair,	15	0	0	
"	To	" Messenger,	5	0	0	
						252 10 0
						£2,464 12 2

1837.			Cr.			
July 3.	By	Warrant, No. 862,	£504	16	1	
"	By	" " 868,	252	10	0	
						£757 6 1
		Carried forward,				

# APPENDIX.

	<i>Brought forward,</i>	£757	6	1
July 3.	By Warrant, No. 871,	950	0	0
Oct. 10.	By " " 8,	504	16	1
Nov. 11.	By " " 18,	252	10	0
		£2,464	12	2

Errors excepted.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.  
January 2, 1838.*

## ABSTRACT

*Of monies received and paid by Thomas C. Lee, Receiver General, on account of the Casual Revenue, to 31st December, 1837.*

1836.	Dr.				
March 31.	Received during the quarter,	£5,693	10	0	
June 30.	" " " "	23,772	14	1	
					£29,466 4 1
Sept. 30.	" " " "	£16,907	10	3	
Dec. 31.	" " " "	4,340	17	0	
					21,248 7 3
1837.					
March 31.	" " " "	£14,805	3	10	
June 30.	" " " "	11,605	0	0	
					26,410 3 10
Sept. 30.	" " " "	£1,787	4	8½	
Dec. 31.	" " " "	3,634	15	8	
					5,422 0 4½
					£82,546 15 6½
1838. Jan. 1.	Balance per contra,	£5,573	5	11½	

1836.	Cr.				
March 31.	Paid during the quarter,				£0 0 0
June 30.	" " " "	Services and salaries,	£13,038	14	1
" "	" " " "	Loan to Central Bank,	9000	0	0
					22,038 14 2
Sept. 30.	" " " "	Services and salaries,	£8,522	17	2
" "	" " " "	Rail Road,	2,000	0	0
" "	" " " "	Loan to Saint John Bridge Company,	3,000	0	0
					13,522 17 2
Dec. 31.	" " " "	Services and salaries,	£5,674	2	5
" "	" " " "	Rail Road,	2,000	0	0
" "	" " " "	Loan to Saint John Bridge Company,	3,000	0	0
					10,674 2 5
1837.					
March 31.	" " " "	Services and salaries,	£11,217	13	10
" "	" " " "	Rail Road,	3,000	0	0
" "	" " " "	Quit Rents refunded,	1,003	3	3
					15,220 17 1
	<i>Carried forward,</i>		£61,456	10	10

# APPENDIX

	<i>Brought forward</i> ,.....	£61,456	10	10
June 30.	Paid during the quarter Services and salaries,	£5,797	15	10
" "	" " Rail Road,.....	3,000	0	0
			8,797	15 10
Sept. 30.	" " " Services and salaries,.....	5,155	2	3
Dec. 31.	" " " Services and salaries, exclusive of Civil List,.....	1,564	0	9
Dec. 31.	Balance of credit Casual Revenue at this date,.....	5,573	5	11½
			£82,546	15 6½

1838.

Jan. 1.	Balance as above,.....	£5,573	5	11½
22.	Amount received to this date inclusive,.....	1,057	9	0
			£6,630	14 11½
"	Sundry warrants paid this month,.....	£288	10	9
"	Warrant drawn on the Casual Revenue, but not yet paid,.....	20	0	0
"	Balance available,.....	6,322	4	2½
			6,630	14 11½

No payment has yet been made by me to the Province Treasurer.

THOMAS C. LEE, *Receiver General*.

*Receiver General's Office, Fredericton, N. B.*

24th January, 1838.

## ABSTRACT.

*Of the Casual and Territorial Revenues of New Brunswick, made up to 31st December, 1837.*

To Balance in the hands of the late Receiver General, George P. Bliss, Esquire, as per Account current rendered by him

to 30th September, 1835, £23,955 17 3½

To this sum said to have been paid to the late G. P. Bliss, by the Commissioner of Crown Land, subsequent to 30th September, 1835, £8,594 6 8

From which deduct this sum surcharged to the Commissioner of Crown Lands by the Auditor, for want of official receipts, 1,936 10 0½

6,657 16 7½

To amount paid the late G. P. Bliss, by the Honorable Mr. Secretary Odell, being contingencies collected in the Secretary's Office,

93 17 8

£30,707 11 7

Deduct this sum, admitted to have been paid by the late Receiver General, G. P. Bliss, on sundry Warrants subsequently to 30th September, 1835, 26,832 14 0

To balance to be accounted for by the Estate of the late George P. Bliss, Esquire, deceased, exclusive of the sum of £1,433 3 0, said to be due to the Disputed Territory Funds, and £1,936 10 0½ as above surcharged to the Commissioner of Crown Lands, for want of official receipts,

£3,874 17 7

To balance in the hands of the Commissioner of Crown Lands, per account to 30th June, 1837, £1,659 12 0½

*Carried forward,*

# APPENDIX

<i>Brought forward</i> ,.....	£1,659 12 0½	£3,874 17 7
Add this sum surcharged as before stated, for want of official receipts from the late Receiver General,	1,936 10 0½	3,596 2 0½
To these sums received by the Commissioner of Crown Lands, during the month of July 1837, after which no monies were paid into his Office, viz. :—		
Land,	362 14 1	
Timber,	720 3 5½	1,082 17 6½
		£4,678 19 7½
Deduct this sum paid to the present Receiver General, by the Commissioner of Crown Lands, 7th September 1837,		742 9 7
Balance due by the Commissioner of Crown Lands, exclusive of the sum surcharged, £1,936 10 0½,		3,936 10 0½
Balance in the hands of the present Receiver General, the Honorable Thomas C. Lee, per account to 31st December 1837,		5,573 5 11½
Loan to the Bank of New Brunswick, bearing interest at the rate of 3½ per cent. per annum, bond dated 9th November 1835,		10,000 0 0
Loan to the Commercial Bank of New Brunswick, bearing interest at the rate of 3½ per cent. per annum, bond dated 10th November 1835,		10,000 0 0
Loan to the Central Bank of New Brunswick bearing interest at the rate of 3½ per cent. per annum, Bond dated 23d May 1836,		9,000 0 0
Loan to the Saint John Bridge Company, bearing interest at the rate of 6 per cent. per annum, secured by Bond and the collateral security of R. M. Jarvis, G. D. Robinson, T. L. Nicholson, Charles Hazen, William Hammond and P. Besnard,		3,000 0 0
Loan to the St. John Bridge Company, bearing interest at the rate of 6 per cent. per annum, secured by bond, and the collateral security of J. Robertson, J. Walker, W. H. Street, H. M'Kay and E. L. Jarvis,		3,000 0 0
To proceeds of 58 Bills of Exchange, drawn by His Excellency the Lieutenant Governor on the Right Honorable the Lords Commissioners of Her Majesty's Treasury for £15,000 sterling, being on account of instalments paid in by the New Brunswick and Nova Scotia Land Company, and which amount is credited in the Province Treasurer's accounts for 1837,		19,305 10 2
The New Brunswick and Nova Scotia Land Company purchased 500,000 acres of Crown Land, at 2s. 3d. sterling, per acre, making £56,250 sterling, payable in eight instalments of £7,031 5s. each; four of these instalments have been paid, and four remain due. The amount paid, £28,125, has been funded in England, of which £2000 were drawn by Sir A. Campbell in 1835 and 1836, and £15,000 by Sir John Harvey in 1837. The balance of those four instalments, together with the interest and dividends accruing thereon, may be estimated at £14,000 sterling, which, with the exchange and 10 per cent. premium, would amount in currency to		17,111 2 3
		£84,801 5 11½
The remaining four instalments due from the New Brunswick and Nova Scotia Land Company, £28,125 sterling, together with £1,000 sterling, for surveys, would at the same rate produce in currency,		35,597 4 5
		£120,398 10 4½

F. P. ROBINSON,  
H. G. CLOPPER.

*Office of Audit, Fredericton, 20th January, 1838.*

# APPENDIX.

## RETURN

*To an Address from the House of Assembly to His Excellency the Lieutenant Governor, of all instalments due or to become due upon Five Year Licences, commencing May 1835, and shewing when the same are payable, and the nature of the securities held for such payment. (Account to the 31st December, 1837.)*

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.	
1.	S. L. Blake, Charlotte.	8	£26 5 0	£8 15 0	£8 15 0	Bond.
2.	Asa Dow, York.	6	15 0 0	15 0 0	15 0 0	"
3.	Francis Ferguson, Gloucester.	16	25 0 0	25 0 0	25 0 0	"
5.	James Tibbets, Carleton.	9½	70 0 0	17 10 0	17 10 0	"
6.	J. Allanshaw & Co. York,	4	8 15 0	8 15 0	8 15 0	"
7.	J. Allanshaw & Co. York.	4	5 5 0	5 5 0	5 5 0	"
8.	Duncan Barber, York.	5	17 10 0	17 10 0	17 10 0	"
9.	Jas D. Berton, Carleton.	12	40 0 0	20 0 0	20 0 0	"
10.	Benjamin Glasier, York.	9	26 5 0	26 5 0	26 5 0	"
11.	A. G. Foster, York.	6	8 15 0	8 15 0	8 15 0	"
12.	D. T. Currie, (10 yrs.) Sunbury.	7	4 7 6	4 7 6	4 7 6	"
13.	J. M. Connell, " Carleton.	4½	13 2 6	13 2 6	13 2 6	"
14.	Duncan Barber, York.	3	7 10 0	7 10 0	7 10 0	"
15.	William Todd, Jun. Charlotte.	9	17 10 0	17 10 0	17 10 0	"
16.	Daniel Hill, York.	3	18 7 6	5 5 0	5 5 0	"
17.	J. M'Allister, Jun. Charlotte.	9	31 10 0	15 15 0	15 15 0	"
18.	Thomas Bowser, York.	5	21 0 0	10 10 0	10 10 0	"
19.	William Porter, York.	4½	7 17 6	7 17 6	7 17 6	"
20.	William Porter, York.	3½	5 5 0	5 5 0	5 5 0	"
21.	N. Lindsay, York.	4	7 0 0	7 0 0	7 0 0	"
22.	Robert Lindsay, Charlotte.	10	17 10 0	17 10 0	17 10 0	"
<i>Carried forward,.....</i>			£393 15 0	£264 7 6	£264 7 6	



# APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.	
	<i>Brought forward,</i>		£393 15 0	£264 7 6	£264 7 6	
23.	Henry Jones, York.	4	0 0 0	4 0 0	8 0 0	Bond.
24.	F. Ferguson, Gloucester.	12	24 0 0	24 0 0	24 0 0	"
25.	Patrick Clinch, Charlotte.	24	0 0 0	42 0 0	42 0 0	"
26.	Patrick Clinch, Charlotte.	6	0 0 0	10 10 0	10 10 0	"
27.	Charles Perley, York.	3½	7 0 0	7 0 0	7 0 0	"
28.	David Phillips, York.	1½	0 0 0	3 10 0	7 0 0	"
29.	G. M. Porter, York.	8	14 0 0	14 0 0	14 0 0	"
30.	S. H. Hitchings,	6	11 2 6	11 2 6	11 2 6	"
31.	James Tibbets, Carleton.	12	24 0 0	24 0 0	24 0 0	"
32.	John Porter, York.	7½	13 2 6	13 2 6	13 2 6	"
33.	J. L. Marsh, Carleton.	12	24 0 0	24 0 0	24 0 0	"
34.	James Balloch, Carleton.	5	8 0 0	8 0 0	8 0 0	"
35.	David Phillips, Carleton.	8	0 0 0	8 0 0	16 0 0	"
36.	John Porter, York.	2½	4 7 6	4 7 6	4 7 6	"
37.	B. P. Griffiths, York.	10	60 0 0	20 0 0	20 0 0	"
38.	James Balloch, Carleton.	3½	7 0 0	7 0 0	7 0 0	"
39.	Duncan Barber, York.	38	75 0 0	75 0 0	75 0 0	"
41.	Hiram Edgett, Saint John.	3	5 5 0	5 5 0	5 5 0	"
42.	James Allanshaw, York.	35	61 5 0	61 5 0	61 5 0	"
43.	John Maxwell, York.	4	7 0 0	7 0 0	7 0 0	"
44.	G. M. Porter, York.	1½	3 1 3	3 1 3	3 1 3	"
45.	A. S. Carman, Carleton.	6	12 0 0	12 0 0	12 0 0	"
47.	John Bailey, York.	5	0 0 0	3 10 0	7 0 0	"
	<i>Carried forward,</i>		£753 18 9	£656 1 3	£675 1 3	

# APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.	
	<i>Brought forward,</i>		£753 18 9	£656 1 3	£675 1 3	
48.	L. P. Estabrook, Kent.	5	20 0 0	10 0 0	10 0 0	Bond.
49.	Peter Watson, York.	4½	31 10 0	9 0 0	9 0 0	"
50.	James A. Phillips, Carleton.	8	16 0 0	16 0 0	16 0 0	"
51.	James A. Phillips, Carleton.	12	24 0 0	24 0 0	24 0 0	"
52.	James A. Phillips, Carleton.	9	18 0 0	18 0 0	18 0 0	"
53.	James A. Phillips, Carleton.	10	20 0 0	20 0 0	20 0 0	"
54.	James Gilmore, Sunbury.	3	9 0 0	6 0 0	6 0 0	"
55.	Joseph Wilson, Charlotte.	3	5 5 0	5 5 0	5 5 0	"
56.	Joseph Wilson, Sunbury.	3	5 5 0	5 5 0	5 5 0	"
57.	Joseph C. Allen, York.	3	6 0 0	6 0 0	6 0 0	"
58.	W. J. Bedell, Carleton.	26	52 0 0	0 0 0	0 0 0	
59.	Duncan Barber, Charlotte & St. John.	15	26 5 0	26 5 0	26 5 0	"
60.	Josephus Moore, Charlotte & St. John.	15	39 7 6	26 5 0	26 5 0	"
61.	A. S. Carman, Carleton.	12	24 0 0	24 0 0	24 0 0	"
62.	A. G. Foster, York.	5	8 15 0	8 15 0	8 15 0	"
63.	King and Coates, King's.	5	0 0 0	9 12 6	9 12 6	"
64.	Elihu Shea, Carleton.	14	28 0 0	28 0 0	28 0 0	"
65.	D. Parent, York.	1¼	4 10 0	3 0 0	3 0 0	"
66.	Amos Crockett, York.	3½	6 2 6	6 2 6	6 2 6	"
67.	W. D. Bedell, Carleton.	18	44 0 0	Cancelled.	0 0 0	
68.	Francis Ferguson, Gloucester.	10	20 0 0	20 0 0	20 0 0	"
69.	Archibald Menzies, Saint John.	6	0 0 0	5 5 0	10 10 0	"
70.	G. M. Porter, York.	7	14 0 0	14 0 0	14 0 0	"
	<i>Carried forward,</i>		£1,175 18 9	£946 16 3	£971 1 3	

# APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.	
<i>Brought forward,.....</i>			£1,175 18 9	£946 16 3	£971 3 3	
71.	Peter Goss, Charlotte.	4	14 0 0	7 0 0	7 0 0	Bond.
72.	Robert Vodden, Northumberland.	4½	Cancelled.	0 0 0	0 0 0	
73.	Charles M'Pherson, York.	6	18 0 0	12 0 0	12 0 0	"
74.	George Morrow, Sunbury.	3	0 0 0	6 0 0	6 0 0	"
75.	George Morrow, Sunbury.	9	0 0 0	18 0 0	18 0 0	"
76.	James Johnston, Gloucester.	5	20 0 0	10 0 0	10 0 0	"
78.	Thomas Nason, Jun. York.	4	0 0 0	0 0 0	7 0 0	"
79.	Joseph Wilson, Charlotte.	1½	2 12 6	2 12 6	2 12 6	"
80.	N. Sprague, Northumberland.	9	0 0 0	18 0 0	18 0 0	"
81.	N. Gillman, York.	4½	0 0 0	9 0 0	9 0 0	"
82.	John Porter, York.	9	15 15 0	15 15 0	15 15 0	"
83.	James Rait,(15 yrs.) Carleton.	26	78 0 0	52 0 0	52 0 0	"
84.	James Rait, " Carleton.	20	60 0 0	40 0 0	40 0 0	"
85.	Daniel Smith, York.	2	5 5 0	5 5 0	5 5 0	"
86.	William M'Kay, York.	15	60 0 0	30 0 0	30 0 0	"
88.	David Sutter, York.	12	48 0 0	24 0 0	24 0 0	"
91.	Alexander Rankin, Northumberland.	70½	141 0 0	141 0 0	141 0 0	"
93.	Alexander Rankin, Northumberland.	25	50 0 0	50 0 0	50 0 0	"
94.	Alexander Rankin, Gloucester.	8	28 0 0	14 0 0	14 0 0	"
95.	Alexander Rankin, Northumberland.	8	28 0 0	14 0 0	14 0 0	"
96.	Amos Plummer, Northumberland.	2	8 0 0	4 0 0	4 0 0	"
97.	Arthur Ritchie, Gloucester.	4½	0 0 0	0 0 0	9 0 0	"
98.	Arthur Ritchie, Gloucester.	7½	0 0 0	0 0 0	17 10 0	"
<i>Carried forward,.....</i>			£1,752 11 3	£1,419 8 9	£1,477 3 9	

# APPENDIX.

No.	Names.	Square Miles.	June 1837.			Instalments due. December 1837.			June 1838.			
			£	s	d	£	s	d	£	s	d	
<i>Brought forward,.....</i>			£1,752	11	3	£1,419	8	9	£1,479	3	7	
99.	Arthur Ritchie, Gloucester.	3	0	0	0.	0	0	0	6	0	0	Bond.
100.	Arthur Ritchie, Gloucester.	12	0	0	0	0	0	0	24	0	0	"
101.	Jacob Mercereau, York.	3	0	0	0	2	12	6	5	5	0	"
102.	Benjamin Tibbetts, Carleton.	6	24	0	0	12	0	0	12	0	0	"
103.	A. S. Carman, Carleton.	3	6	0	0	6	0	0	6	0	0	"
104.	John Martin, Westmorland.	4	16	0	0	8	0	0	8	0	0	"
105.	Robert Kerr, Carleton.	3	12	0	0	6	0	0	6	0	0	"
106.	Nathaniel Moore, Northumberland.	5	15	0	0	10	0	0	10	0	0	"
107.	H. Hayward, Westmorland.	3	12	0	0	6	0	0	6	0	0	"
108.	Arthur Ritchie, Gloucester.	1½	0	0	0	0	0	0	3	10	0	"
109.	Arthur Ritchie, Gloucester.	6	0	0	0	0	0	0	12	0	0	"
110.	Arthur Ritchie, Gloucester.	5	0	0	0	0	0	0	10	0	0	"
111.	Arthur Ritchie, Gloucester.	3	0	0	0	0	0	0	6	0	0	"
112.	Arthur Ritchie, Gloucester.	12½	0	0	0	0	0	0	25	0	0	"
113.	Arthur Ritchie, Gloucester.	12½	0	0	0	0	0	0	25	0	0	"
114.	Arthur Ritchie, Gloucester.	6½	0	0	0	0	0	0	12	10	0	"
115.	Arthur Ritchie, Gloucester.	4½	0	0	0	0	0	0	9	0	0	"
116.	Arthur Ritchie, Gloucester.	9	0	0	0	0	0	0	18	0	0	"
117.	Arthur Ritchie, Gloucester.	3	0	0	0	0	0	0	6	0	0	"
118.	Arthur Ritchie, Gloucester.	3	0	0	0	0	0	0	6	0	0	"
119.	Arthur Ritchie, Gloucester.	3	0	0	0	0	0	0	6	0	0	"
120.	Arthur Ritchie, Gloucester.	15	0	0	0	0	0	0	30	0	0	"
121.	Hugh Ramsay, Gloucester.	1½	5	0	0	2	10	0	2	10	0	"
<i>Carried forward,.....</i>			£1,842	11	3	£1,472	11	3	£1,731	18	9	

## APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.	
	<i>Brought forward,.....</i>		£1,842 11 3	£1,472 0 0	£1,731 18 9	
122.	Asa Dow, York.	2½	10 0 0	5 0 0	5 0 0	Bond.
123.	Peter Stewart, Gloucester.	8	32 0 0	16 0 0	16 0 0	"
124.	J. G. Woodward, Sunbury.	12	24 0 0	24 0 0	24 0 0	"
125.	Robert Kerr, Carleton.	3	12 0 0	6 0 0	6 0 0	no bond.
126.	Benjamin Tibbetts, Carleton.	4	17 0 0	8 10 0	8 10 0	"
128.	J. H. Bartlett, Charlotte.	16	42 0 0	28 0 0	28 0 0	Bond.
129.	James Rait, Carleton.	8	24 0 0	16 0 0	16 0 0	"
130.	Thomas Hartt, York.	2	0 0 0	2 12 6	5 5 0	"
131.	W. J. Bedell, Carleton.	10	20 0 0	20 0 0	20 0 0	"
132.	J. Montgomery, Gloucester.	21	0 0 0	42 0 0	42 0 0	"
133.	Alexander Boone, Sunbury.	1½	7 0 0	3 10 0	3 10 0	no bond.
134.	Peter Sutherland, Gloucester.	6	12 0 0	12 0 0	12 0 0	"
135.	Michael Samuel, Gloucester.	6	24 0 0	12 0 0	12 0 0	Bond.
136.	Joseph Cunard, Northumberland.	150	300 0 0	300 0 0	300 0 0	no bond.
137.	James Allanshaw, Charlotte.	31	54 5 0	54 5 0	54 5 0	"
138.	John M'Kean, Charlotte.	13	34 2 6	22 15 0	22 15 0	"
139.	S. L. Blake, Charlotte.	8	21 0 0	14 0 0	14 0 0	Bond.
140.	John M'Nichol, Charlotte.	8	21 0 0	14 0 0	14 0 0	no bond.
141.	John Wilson, Charlotte.	23	60 7 6	40 5 0	40 5 0	Bond.
142.	Joshua Knight, Charlotte.	5	13 2 6	8 15 0	8 15 0	"
143.	Henry Seely, Charlotte.	3½	8 15 0	8 15 0	8 15 0	"
144.	W. C. Pendleton, Charlotte.	6	27 5 0	27 5 0	27 5 0	no bond.
145.	D. Milligan, Charlotte.	9½	24 5 7½	16 3 6	16 3 6	"
	<i>Carried forward,.....</i>		£2,630 14 4½	£2,174 7 3	£2,436 7 3	

# APPENDIX.

No.	Names.	Square Miles.	June 1837.			Instalments due. December 1837.			June 1838.		
			£	s	d	£	s	d	£	s	d
<i>Brought forward,.....</i>			£2,630	14	4½	£2,174	7	3	£2,436	7	3
146.	Philo Seely, Charlotte.	7	12	5	0	12	5	0	12	5	0 Bond.
147.	William Curry, Charlotte.	2	3	10	0	3	10	0	3	10	0 “
148.	Neal D. Shaw, Charlotte.	43½	0	0	0	81	11	0	81	11	0 nobond.
149.	P. Williston, Gloucester.	34	68	0	0	68	0	0	68	0	0 “
150.	Jared Tozer, Northumberland.	3	5	5	0	5	5	0	5	5	0 “
151.	Richard Tracey, York.	2½	0	0	0	0	0	0	5	5	0 Bond.
152.	Charles Dewitt, York.	3	10	10	0	5	5	0	5	5	0 “
153.	James Rait, Saint John.	14	50	0	0	25	0	0	25	0	0 nobond.
154.	Joseph Cunard, Kent.	25	100	0	0	50	0	0	50	0	0 “
155.	George Williston, Gloucester.	40	80	0	0	80	0	0	80	0	0 “
156.	James Ledden, Northumberland.	2½	5	0	0	5	0	0	5	0	0 “
157.	Remo Ducett, Gloucester.	6	12	0	0	12	0	0	12	0	0 “
158.	Joseph Cunard, Kent.	15	30	0	0	30	0	0	30	0	0 “
159.	Henry Cunard, Kent.	24	48	0	0	48	0	0	48	0	0 “
160.	John M'Allister, York.	5½	8	15	0	8	15	0	8	15	0 Bond.
161.	Alexander Rankin, Gloucester.	8	16	0	0	16	0	0	16	0	0 “
162.	Alexander Rankin, Gloucester.	5	11	0	0	11	0	0	11	0	0 “
163.	Alexander Rankin, Gloucester.	16	32	0	0	32	0	0	32	0	0 “
164.	Alexander Rankin, Gloucester.	6	12	0	0	12	0	0	12	0	0 “
165.	D. M'Kay, Northumberland.	3	12	0	0	6	0	0	6	0	0 “
166.	H. N. Hill, York.	3	5	5	0	5	5	0	5	5	0 “
167.	Jared Tozer, Gloucester.	8½	34	0	0	17	0	0	17	0	0 nobond.
168.	George Taylor, Gloucester.	12	48	0	0	24	0	0	24	0	0 “
<i>Carried forward,.....</i>			£3,234	4	4½	£2,732	3	3	£2,999	8	3
M6											

# APPENDIX.

No.	Names.	Square Miles.	June 1837.			Instalments due. December 1837.			June 1838.						
			£3,234	4	4½	£,2732	3	3	£2,999	8	3				
<i>Brought forward,.....</i>															
169.	George Morrow, York.	3		0	0	0		5	5	0		5	5	0	Bond.
170.	Donald M'Kay, Gloucester.	3		6	0	0		6	0	0		6	0	0	"
171.	Francis Ferguson, Gloucester.	6		12	0	0		12	0	0		12	0	0	"
172.	George Taylor, Gloucester.	15		60	0	0		30	0	0		30	0	0	no bond.
173.	S. H. Hitchings, Charlotte.	3		5	5	0		5	5	0		5	5	0	Bond.
174.	D. Gilmour, Charlotte.	11½		20	2	6		20	2	6		20	2	6	"
175.	John Porter, York.	6		21	0	0		10	10	0		10	10	0	"
176.	A. Gilmor, Charlotte.	5		8	15	0		8	15	0		8	15	0	no bond.
177.	Alexander M'Laggan, Northumberland.	3		10	10	0		5	5	0		5	5	0	Bond.
178.	John M'Laggan, York.	18		63	0	0		31	10	0		31	10	0	no bond.
179.	George Anderson, Saint John.	9		36	0	0		18	0	0		18	0	0	Bond.
180.	William Dickens, Kent.	10		40	0	0		20	0	0		20	0	0	no bond.
181.	Robert Gregan, Kent.	15½		62	0	0		31	0	0		31	0	0	"
182.	Thomas Boies, York.	15		52	10	0		26	5	0		26	5	0	Bond.
183.	John Montgomery, Gloucester.	8½		34	0	0		17	0	0		17	0	0	"
184.	Alexander Rankin, Northumberland.	1½		4	7	6		2	3	9		2	3	9	"
185.	Alexander Rankin, Northumberland.	8		28	0	0		14	0	0		14	0	0	"
186.	William Jardine, Carleton.	5		20	0	0		10	0	0		10	0	0	no bond.
187.	John J. Donald, Northumberland.	8		28	0	0		14	0	0		14	0	0	Bond.
188.	J. Allanshaw, York.	6		21	0	0		10	10	0		10	10	0	"
189.	A. C. Hammond, Carleton.	6		0	0	0		12	0	0		12	0	0	no bond.
190.	William Lock, Northumberland.	5		10	0	0		10	0	0		10	0	0	Bond.
191.	William Lock, Northumberland.	25		50	0	0		50	0	0		50	0	0	no bond.
<i>Carried forward,.....</i>			£3,826	14	4½		£3,101	14	6		£3,368	19	6		

# APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.
	<i>Brought forward,</i>		£3,826 14 4½	£3,101 14 6	£3,368 19 6
192.	Joseph Cunard, Northumberland.	20	70 0 0	35 0 0	35 0 0 Onobond.
193.	Jeremiah Whitney, York.	2	0 0 0	3 10 0	3 10 0 Bond.
194.	Joseph Cunard, Northumberland.	28	98 0 0	49 0 0	49 0 0 Onobond.
195.	James Stephenson, York.	6	21 0 0	10 0 0	10 0 0 “
196.	J. L. Marsh, Carleton.	6	24 0 0	12 0 0	12 0 0 Bond.
197.	John F. Taylor, York.	4	0 0 0	0 0 0	8 0 0 “
198.	Alexander Boone, Sunbury.	4	0 0 0	3 10 0	7 0 0 Onobond.
199.	Alexander Rankin, Gloucester.	12	48 0 0	24 0 0	24 0 0 Bond.
202.	Francis Ferguson, Gloucester.	12	48 0 0	24 0 0	24 0 0 “
203.	Francis Ferguson, Gloucester.	16	64 0 0	32 0 0	32 0 0 “
204.	James Balloch, Carleton.	3	6 0 0	6 0 0	6 0 0 “
205.	Nathaniel Blake, York.	10	0 0 0	20 0 0	20 0 0 Onobond.
206.	James Fraser, Jun. Sunbury.	8	0 0 0	0 0 0	0 0 0 “
207.	Henry Loder, Queen's.	2	0 0 0	5 5 0	5 5 0 “
208.	Anthony Rogers, Gloucester.	4½	0 0 0	18 0 0	18 0 0 “
209.	Roderick M'Leod, Gloucester.	6	0 0 0	12 0 0	12 0 0 Bond.
210.	Rowland Crocker, Gloucester.	9	0 0 0	18 0 0	18 0 0 Onobond.
211.	Benjamin Tibbets, Carleton.	10	0 0 0	20 0 0	20 0 0 Bond.
212.	Linus Seely, York.	2	0 0 0	7 0 0	7 0 0 Onobond.
213.	Benjamin Tibbets, Carleton.	3	0 0 0	6 0 0	6 0 0 “
214.	Alexander Rankin, Gloucester.	2½	0 0 0	5 0 0	5 0 0 Bond.
215.	Joseph Cunard, Gloucester.	18	0 0 0	31 0 0	31 0 0 Onobond.
216.	W. Raymond, Kent.	21½	0 0 0	43 0 0	43 0 0 “
	<i>Carried forward,</i>		£4,205 14 4½	£3,485 19 6	£3,764 14 6



# APPENDIX.

No.	Names.	Square Miles.	June 1837.			Instalments due. December 1837.			June 1838.		
<i>Brought forward,.....</i>			£4,205	14	4½	£3,485	19	6	£3,764	14	6
217.	John Morrison, Gloucester.	8	0	0	0	16	0	0	16	0	0 nobond.
218.	B. Trefethen, Gloucester.	9	0	0	0	18	0	0	18	0	0 “
219.	Neil Morrison, Gloucester.	10	0	0	0	20	0	0	20	0	0 “
220.	Joseph Cunard, Gloucester.	10	0	0	0	20	0	0	20	0	0 “
221.	Joseph Cunard, Gloucester.	12	0	0	0	24	0	0	24	0	0 “
222.	Joseph Smith, York.	1½	0	0	0	3	10	0	3	10	0 Bond.
223.	Orlo Hoyt, Sunbury.	5	0	0	0	8	15	0	8	15	0 “
224.	William Napier, Gloucester.	4	0	0	0	8	0	0	8	0	0 “
225.	Alexander Rankin, Gloucester.	12	0	0	0	24	0	0	24	0	0 “
226.	Alexander Rankin, Northumberland.	9	0	0	0	31	10	0	31	10	0 “
227.	Alexander Rankin, Gloucester.	39	0	0	0	78	0	0	78	0	0 “
228.	Jared Tozer, Northumberland.	8	0	0	0	14	0	0	14	0	0 nobond.
229.	Joseph Cunard, Northumberland.	8	0	0	0	14	0	0	14	0	0 “
230.	Joseph Cunard, Northumberland.	8	0	0	0	14	0	0	14	0	0 “
231.	Roderick M'Leod, Gloucester.	1½	0	0	0	2	10	0	2	10	0 Bond.
232.	J. Allanshaw, Charlotte.	70	0	0	0	122	10	0	122	10	0 “
233.	Charles Emery, York.	3	0	0	0	0	0	0	6	0	0 nobond.
234.	Archibald M'Lean, York.	6	0	0	0	12	0	0	12	0	0 Bond.
235.	Henry Jones, York & Carleton.	8	0	0	0	14	0	0	14	0	0 “
236.	R. V. Hanson, Charlotte.	4½	0	0	0	7	17	6	7	17	6 “
237.	J. P. Ford, Kent.	7½	0	0	0	4	7	6	8	15	6 “
238.	Edward J. Budd, Saint John.	18	0	0	0	15	15	0	31	10	0 “
239.	T. Fulton, Queen's.	7	0	0	0	12	5	0	12	5	0 nobond.
<i>Carried forward,.....</i>			£4,205	14	4½	£3,970	19	6	£4,275	17	6

# APPENDIX.

No.	Names.	Square Miles.	June 1837.	Instalments due. December 1837.	June 1838.
<i>Brought forward,</i> .....			£4,205 14 4½	£3,970 9 6	£4,275 7 0
240.	Benjamin A. Heustis, York.	8	0 0 0	14 0 0	14 0 0 Bond.
241.	John Marks, Charlotte.	6	0 0 0	12 0 0	12 0 0 nobond.
242.	John DeWitt, York.	3	0 0 0	5 5 0	5 5 0 "
243.	S. P. Estabrook, Kent.	6	0 0 0	0 0 0	12 0 0 Bond.
244.	J. Balloch, Carleton.	9	0 0 0	18 0 0	18 0 0 "
245.	J. Cuppage & others, Northumberland.	57	0 0 0	114 0 0	114 0 0 "
246.	Samuel Gerrish, Northumberland.	9	0 0 0	18 0 0	18 0 0 nobond.
247.	Joseph Read, Gloucester.	16	0 0 0	28 0 0	28 0 0 Bond.
248.	Joseph Read, Gloucester.	8	0 0 0	14 0 0	14 0 0 "
249.	William Hoyt, York.	1½	0 0 0	2 12 6	2 12 6 nobond.
250.	James Frink, Charlotte.	9	0 0 0	15 15 0	15 15 0 "
			£4,205 14 4½	£4,213 2 0	£4,529 19 6

## ONE YEAR LICENCES.

No.		Paid at sale.	Now due.
120.	H. T. Partelow, York, 100 tons Timber, at 2s. Sold at Auction, June 1837.	2 10 0	7 10 0
118.	Timothy Murphy, York, 50 tons Timber, at 2s. Sold at Auction, June 1837.	1 5 0	2 15 0
127.	A M'Lean, York, 40 M. Lumber, at 3s. 6d. Sold at Auction, June 1837.	1 15 0	5 5 0
133.	Duncan Barber, York, 60 M. Lumber, at 3s. 6d. Sold at Auction, June 1837.	2 12 6	7 17 6
140.	Duncan Barber, York, 150 tons Timber, at 2s. Sold at Auction, June 1837.	3 15 0	11 5 0
141.	Asa Dow, York, 150 tons Timber, at 2s. Sold at Auction, June 1837.	3 15 0	11 5 0
102.	Elijah Sisson, Carleton, 200 tons Timber, at 2s. 9d. Sold at Auction, June 1837.	5 17 6	20 12 6
104.	B. Tibbetts, Carleton, 200 tons Timber, at 2s. 2d. Sold at Auction, June 1837.	5 8 4	15 5 0
106.	Elijah Sisson, Carleton, 200 tons Timber, at 2s. Sold at Auction, June 1837.	5 0 0	15 0 0
<i>Carried forward,</i> .....		£32 18 4	£97 15 0

# APPENDIX.

No.		Paid at sale.	Now due.
	<i>Brought forward</i> ,.....	£32 18 4	£97 15 0
107.	Elihu Shea, Carleton, 120 tons Timber, at 2s. Sold at Auction, June 1837.	3 0 0	9 0 0
108.	Benjamin Tibbetts, 260 tons Timber, at 2s. Sold at Auction, June 1837.	5 0 0	15 0 0
109.	Jas. R. Tupper, Carleton, 100 tons Timber, at 1s. 9d. Sold at Auction, June 1837.	2 3 9	6 11 3
115.	Henry Jones, Carleton, 200 tons Timber, at 2s. Sold at Auction, June 1837.	5 0 0	15 0 0
166.	Benjamin Tibbetts, Carleton, 200 tons Timber, at 2s. Sold at Auction, July 1837.	5 0 0	15 0 0
167.	Benjamin Tibbetts, Carleton, 100 tons Timber, at 2s. Sold at Auction, July 1837.	2 10 0	7 10 0
168.	S. Dickinson, Carleton, 100 tons Timber, at 2s. Sold at Auction, July 1837.	0 0 0	10 0 0
153.	A. M'Laggan, Northumberland, 60 tons Timber, at 2s. Sold at Auction, July 1837.	1 10 0	4 10 0
154.	A. M'Laggan, Northumberland, 50M. Lumber, at 3s. 6d. Sold at Auction, July 1837.	2 3 9	6 11 3
155.	A. M'Laggan, Northumberland, 100 tons Timber, at 2s. Sold at Auction, July 1837.	2 10 0	7 10 0
156.	A. M'Laggan, Northumberland, 30M. Lumber, at 3s. 6d. Sold at Auction, July 1837.	1 6 3	3 18 9
160.	A. M'Laggan, Northumberland, 60 tons Timber, at 2s. Sold at Auction, July 1837.	1 10 0	4 10 0
161.	S. Hilton, Northumberland, 60 tons Timber, at 2s. Sold at Auction, July 1837.	1 10 0	4 10 0
162.	S. Hilton, Northumberland, 100 tons Timber, at 2s. Sold at Auction, July 1837.	2 10 0	7 10 0
164.	S. Hilton, Northumberland, 200 tons Timber, at 2s. Sold at Auction, July 1837.	5 0 0	15 0 0
101.	O. Arnold, Westmorland, 50 tons Timber, at 2s. Sold at Auction, June 1837.	1 5 0	3 15 0
134.	Patrick Dougherty, Queen's, 300 tons Timber, at 2s. Sold at Auction, June 1837.	7 10 0	22 10 0
136.	James Bennison, Queen's, 100 Lumber, at 3s. 6d. Sold at Auction, June 1837.	4 7 6	13 2 6
138.	John Murray, Queen's, 80 tons Timber, at 2s. Sold at Auction, June 1837.	2 0 0	6 0 0
139.	Gilbert Wright, Queen's, 50 tons Timber, at 2s. Sold at Auction, June 1837.	1 5 0	3 15 0
181.	Robert Hutchinson, Queen's, 35 M. Lumber, at 3s. 6d. Sold at Auction, July 1837.	1 10 7½	4 12 10½
182.	Samuel Nelson, Queen's, 150 tons Timber, at 2s. and 25 M. Lumber, at 3s. 6d. Sold at Auction, July 1837.	4 16 10½	14 10 7½
173.	L. Cameron, Charlotte, 100 tons Timber, at 2s. Sold at Auction, July 1837.	2 10 0	7 10 0
	<i>Carried forward</i> ,.....	£98 17 1	£305 13 3

# APPENDIX.

No.		Paid at sale.			Now due.		
	<i>Brought forward,</i> .....	£98	17	1	£305	12	3
128.	Duncan Barber, Charlotte, 60 M. Lumber, at 3s. 6d. Sold at Auction, June 1837.	2	12	6	7	17	6
129.	David L. Kelly, Sunbury, 30 M. Lumber, at 3s. 6d. Sold at Auction, June 1837.	1	6	3	3	18	9
		£102	15	10	£317	8	6

Licence does not issue until the whole amount be paid, and in case the balance be not paid, the deposit becomes forfeited.

## SUMMARY OF ANNEXED RETURN, &c.

Amount of instalments on 5 year Licences, due 24th June, 1837,.....	£4,205	14	4
“ “ “ “ 24th December, 1838,	4,213	2	0
	£8,418	16	4

Amount instalments 5 year Licences, will become due 24th June, 1838,	4,529	19	6
“ “ on 1 year Licences, now due,.....	317	8	6

The total extent of 5 year Licences is 2388 square miles, or 1,538,320 acres.

No other securities for public money are held in the Crown Land Office, than the bonds for payment of duties on Timber and Land as shewn by the present returns.

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.*

*February 6, 1838.*

## RETURN

*To an Address from the House of Assembly, to His Excellency the Lieutenant Governor, shewing all instalments due, or to become due upon Lands sold or leased, when the same are payable, whether any and what Securities are taken, and whether bearing interest, and at what rate. (Account to the 31st December, 1837.)*

1830.	Purchaser.	Instalments due.		
		2d.	3d.	4th.
Jan. 25.	James Alcorn. 200 acres, at 3s.	£0 0 0	£7 10 0	£7 10 0
“	Andrew Alcorn, 200 acres, at 1s. 6d.	3 15 0	3 15 0	3 15 0
Feb. 12.	Edward Walker, 200 acres, at 1s. 9½d.	0 0 0	4 10 0	4 10 0
Jan. 26.	Edmund Price, 100 acres, at 2s. 6d.	3 2 11	3 2 11	3 2 11
Feb. 20.	Timothy O'Sullivan, 200 acres, at 2s.	5 0 0	5 0 0	5 0 0
“ 23.	Celestin Myres, 140 acres, at 1s. 10½d.	3 5 0	3 5 0	3 5 0
March 12.	Charles Perkins, 400 acres, at 2s.	0 0 0	0 0 0	10 0 0
“ 23.	Etienne Young, 200 acres, at 1s. 6d.	3 15 0	3 15 0	3 15 0
	<i>Carried forward,</i> .....	£18 17 11	£30 17 11	£40 17 11

# APPENDIX.

1830.		Paid.	Instalments due.							
			2d.	3d.	4th.					
	<i>Brought forward</i> ,.....	£18	17	11	£30	17	11	£40	17	11
March 26.	Michael M'Laughlin, 150 acres at 2s.		0	0	0			3	15	0
" 27.	James E. Nicholson, 200 acres, at 1s 6d.		0	0	0			3	15	0
May 4.	David Fowler, 200 acres, at 2s.		0	0	0			5	0	0
" 20.	Francis Cornea, 200 acres, at 1s. 9½d.		4	10	0			4	10	0
June 2.	Francis Best, 250 acres, at 2s.		0	0	0			6	5	0
" 3.	John Phillips, 200 acres, at 2s.		5	0	0			5	0	0
" 8.	Thomas Cripps, 200 acres, at 2s.		5	0	0			5	0	0
" "	Charles De Marchant, 200 acres, at 1s. 6d.		0	0	0			5	12	6
" 10.	William Watson, 100 acres, at 2s.		2	5	0			2	5	0
" 14.	Jeremiah Murphy, 200 acres, at 2s.		0	0	0			5	0	0
" 24.	Daniel Teed, 200 acres, at 2s.		5	0	0			5	0	0
" 28.	James M'Laughlin, 200 acres, at 2s.		0	0	0			5	0	0
" 30.	James Gaffney, 200 acres, at 2s.		5	0	0			5	0	0
" "	Robert Clark, 200 acres, at 1s. 9½d.		4	10	0			4	10	0
July 16.	Thomas Conry, 200 acres, at 2s.		5	0	0			5	0	0
" 21.	Peter Dane, 200 acres, at 2s.		0	0	0			5	0	0
Aug. 2.	John Mullen, 200 acres, at 2s.		0	0	0			5	0	0
" "	John Corcoran, 200 acres, at 2s.		0	0	0			5	0	0
" 7.	John Butler, 200 acres, at 2s.		5	0	0			5	0	0
" "	Patrick Doyle, 200 acres, at 2s.		0	0	0			5	0	0
" 14.	James Lynch, 200 acres, at 2s.		0	0	0			5	0	0
" 24.	James Walker, 500 acres, at 2s.		0	0	0			12	10	0
" 26.	Michael Kennedy, 200 acres, at 2s.		5	0	0			5	0	0
	<i>Carried forward</i> ,.....	£65	2	11	£116	10	5	£159	0	5

# APPENDIX.

		Purchaser.				Instalments due.					
			2d.			3d.			4th.		
1830.		<i>Brought forward</i> ,.....	£65	2	11	£116	10	5	£159	0	5
Aug. 30.		John Rolf, 100 acres, at 2s.	2	10	0	2	10	0	2	10	0
" 31.		Robert Phillips, 100 acres, at 2s.	2	10	0	2	10	0	2	10	0
Sept. 7.		Daniel M'Gowan, 200 acres, at 1s. 6d.	0	0	0	3	15	0	3	15	0
Oct. 18.		Miles Carroll, 100 acres, at 2s.	0	0	0	0	0	0	2	10	0
" "		Robert Mulland, 100 acres, at 2s.	2	10	0	2	10	0	2	10	0
Nov. 5.		Patrick Carroll, 300 acres, at 1s. 8½d.	6	10	0	6	10	0	6	10	0
" 8.		Jeremiah Mahony, 200 acres, at 1s. 10d.	4	11	8	4	11	8	4	11	8
" 13.		Samuel Bird, Jun. 200 acres, at 2s.	0	0	0	0	0	0	5	0	0
" "		Casper Caldwell, 300 acres, at 2s.	0	0	0	7	10	0	7	10	0
" 24.		Mary Brown, 100 acres, at 2s. 4½d.	3	0	0	3	0	0	3	0	0
" 26.		Stephen Edgett, 130 acres, at 2s.	0	0	0	3	5	0	3	5	0
Dec. 6.		James Harris, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
" 6.		John Gillen, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" 11.		Paul Kingston, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" 30.		Angus Gillies, 100 acres, at 2s. 2½d.	2	15	0	2	15	0	2	15	0
1831.											
Jan. 18.		Peter Mitchell, Sen. 100 acres, at 2s. 7d.	0	0	0	3	5	0	3	5	0
" 21.		William Lutz, Jun. 200 acres, at 2s.	0	0	0	5	0	0	5	0	0
Feb. 2.		Peter Fitzpatrick, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0
" 15.		John Matheson, 224 acres, at 2s.	5	12	0	5	12	0	5	12	0
" "		John Archibald, 200 acres, at 2s.	0	0	0	0	0	0	5	0	0
" "		Joseph Hutcons, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
" 18.		Peter Hopper, 100 acres, at 2s.	0	0	0	0	0	0	2	10	0
" "		John N. Jonah, 188 acres, at 2s.	0	0	0	4	14	0	4	14	0
<i>Carried forward</i> ,.....			£111	11	7	£195	8	1	£252	18	1
			N5								

## APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1831.		<i>Brought forward,</i> .....	£111	11	7	£195	8	1	£252	18	1
Feb. 18.		James M. Dryden, 185 acres, at 2s.	4	12	6	4	12	6	4	12	6
" 19.		Mary Hawthorn, 200 acres, at 1s. 6d.	0	0	0	3	15	0	3	15	0
" "		James Harkins, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" "		Henry Steeves, Jun. 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
March 15.		George M'Kain, 200 acres, at 2s.	0	0	0	0	0	0	5	0	0
" 16.		George M. Fairweather, 215 acres, at 2s.	0	0	0	5	7	6	5	7	6
" 25.		Fabian White, 200 acres, at 1s. 7d.	4	0	0	4	0	0	4	0	0
" 29.		Andrew Lockhart, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0
" 31.		Edward Kerns, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" "		Patrick O'Shea, 152 acres, at 3s.	5	14	0	5	14	0	5	14	0
April 13.		James Rody, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" 19.		Anthony Mullin, 102 acres, at 1s. 11½d.	2	10	0	2	10	0	2	10	0
May 12.		James Burney, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0
" 14.		Gideon Bray, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
June 1.		William Hope, 217 acres, at 2s.	5	8	6	5	8	6	5	8	6
	15.	John Anderson, 300 acres, at 2s.	7	10	0	7	10	0	7	10	0
	18.	John Watson, 300 acres, at 2s.	0	0	0	0	0	0	7	10	0
	20.	Dennis Murphy, 200 acres, at 2s.	0	0	0	0	0	0	5	0	0
July 1.		James Carruthers, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
" 4.		Daniel M'Gowan, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
" 18.		William Forsyth, 200 acres, at 2s. 3d.	5	12	6	5	12	6	5	12	6
" 23.		Matthew Corbett, 400 acres, at 2s. 6d.	12	10	0	12	10	0	12	10	0
August 4.		Arthur Haughey, 192 acres, at 2s. 1d.	5	0	0	5	0	0	5	0	0
		<i>Carried forward,</i> .....	£197	14	1	£300	13	1	£375	13	1

# APPENDIX.

1831.		Purchaser.	2d.			Instalments due. 3d.			4th.		
		<i>Brought forward</i> ,.....	£197	14	1	£300	13	1	£375	13	1
August 4.		Charles Moore, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
"	11.	William Wilson, 192 acres, at 2s. 6d.	0	0	0	0	0	0	6	0	0
"	19.	John Dunne, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
"	31.	Alexander Murphy, 120 acres, at 2s. 6d.	0	0	0	0	0	0	3	15	0
"	"	James Bahen, 130 acres, at 2s.	0	0	0	0	0	0	3	5	0
"	"	James M'Elraith, 300 acres, at 2s.	7	10	0	7	10	0	7	10	0
Sept. 3.		James M'Ginley, 100 acres, at 3s.	0	0	0	3	15	0	3	15	0
"	6.	Daniel Fallon, 150 acres, at 2s. 6d.	4	13	9	4	13	9	4	13	9
"	8.	John Glen, 200 acres, at 1s. 3½d.	3	5	0	3	5	0	3	5	0
"	9.	William Dealy, 100 acres, at 2s.	0	0	0	5	0	0	5	0	0
"	13.	Andrew Porter, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
"	14.	Edward M. Carroll, 150 acres, at 2s.	3	15	0	3	15	0	3	15	0
"	16.	George Bond, 200 acres, at 2s. 3d.	5	12	6	5	12	6	5	12	6
"	23.	Francois Robicheau, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
"	"	James M'Gowan, 300 acres, at 2s.	7	10	0	7	10	0	7	10	0
"	26.	John Galliyan, 100 acres, at 2s. 7d.	0	0	0	0	0	0	3	5	0
"	27.	Alexander Morrison, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
Oct. 1.		Edward Toole, 200 acres, at 2s. 3d.	5	12	6	5	12	6	5	12	6
"	18.	Joseph Grogan, 150 acres, at 2s.	0	0	0	3	15	0	3	15	0
"	21.	Richard Barker, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
"	31.	Thomas Barker, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
"	"	Mary Fullarton, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
"	"	Jacob Bacon, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
<i>Carried forward</i> ,.....			£274	7	10	£389	16	10	£481	1	10



# APPENDIX.

		Purchaser.	Instalments due.					
1831.			2d.	3d.	4th.			
		<i>Brought forward,</i> .....	£274 7 10	£389 16 10	£481 1 10			
Oct.	22.	John Burgess, 200 acres, at 2s.	5 0 0	5 0 0	5 0 0			
"	25.	Thomas Hope, 200 acres, at 2s.	0 0 0	5 0 0	5 0 0			
"	26.	James Graham, 200 acres, at 1s. 6d.	3 15 0	3 15 0	3 15 0			
"	"	James Muldoon, 200 acres, at 2s. 6d.	6 5 0	6 5 0	6 5 0			
Nov.	4.	Hugh Quinn, 200 acres, at 2s.	5 0 0	5 0 0	5 0 0			
"	8.	Amos Cogswell, 300 acres, at 2s.	7 10 0	7 10 0	7 10 0			
"	17.	James Hewitt, 200 acres, at 2s. 3d.	5 12 6	5 12 6	5 12 6			
"	"	Richard Ritchie, 100 acres, at 2s. 7d.	0 0 0	0 0 0	3 5 0			
"	"	Robert Marshall, 169 acres, at 2s. 2½d.	4 15 0	4 15 0	4 15 0			
"	28.	William H. Lyon, 200 acres, at 2s.	5 0 0	5 0 0	5 0 0			
Dec.	8.	Archibald Parks, 200 acres, at 2s. 6d.	6 5 0	6 5 0	6 5 0			
"	10.	John Marshall, 189 acres, at 2s. 3d.	0 0 0	5 6 4	5 6 4			
"	16.	John Jamieson, 118 acres, at 3s.	4 8 6	4 8 6	4 8 6			
"	29.	Robert Bradley, 100 acres, at 2s. 7d.	3 5 0	3 5 0	3 5 0			
"	30.	John Connelly, 100 acres, at 3s.	3 15 0	3 15 0	3 15 0			
1832.								
Jan.	28.	Thomas Pitt, 100 acres, at 2s. 7d.	3 5 0	3 5 0	3 5 0			
"	31.	John Campbell, 100 acres, at 2s. 7d.	3 5 0	3 5 0	3 5 0			
Feb.	8.	Patrick Sinclair, 100 acres, at 2s. 7d.	3 5 0	3 5 0	3 5 0			
"	"	David M'Lellan, 200 acres, at 2s.	0 0 0	5 0 0	5 0 0			
"	15.	John Harrigan, 150 acres, at 2s.	3 15 0	3 15 0	3 15 0			
"	"	James Odonnell, 115 acres, at 2s. 3d.	0 0 0	0 0 0	3 5 0			
"	"	James M'Donald, 200 acres, at 2s.	5 0 0	5 0 0	5 0 0			
"	17.	James Darcus, 100 acres, at 2s. 7d.	0 0 0	0 0 0	3 5 0			
<i>Carried forward,</i> .....			£353 8 10	£484 4 2	£585 4 2			

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1832.		<i>Brought forward</i> ,.....	£353	8	10	£484	4	2	£585	4	2
Feb.	25.	Henry Hopper, 126 acres, at 2s. 0½d.	0	0	0	3	5	0	3	5	0
"	27.	Timothy Herring, 325 acres, at 2s. 5½d.	0	0	0	10	0	0	10	0	0
March	6.	Edward Carl, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
"	"	Nathaniel M'Nair, 140 acres, at 8s. 10½d.	15	10	0	15	10	0	15	10	0
"	8.	Charles W. Dingee, 280 acres, at 2s. 6d.	0	0	0	8	15	0	8	15	0
"	10.	John B. Morrison, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
"	20.	Peter Patrick, 1. 1. 10 acres,	5	5	0	5	5	0	5	5	0
"	"	William Dempster, 400 acres, at 2s.	10	0	0	10	0	0	10	0	0
April	9.	Patrick Clifford, 300 acres, at 2s.	0	0	0	7	10	0	7	10	0
"	10.	Enoch West, 186 acres, at 2s. 1½d.	5	0	0	5	0	0	5	0	0
"	16.	David M'Lellan, 200 acres, at 3s.	0	0	0	0	0	0	7	10	0
"	"	William Colpitts, 200 acres, at 2s.	0	0	0	0	0	0	5	0	0
"	17.	Dixon Nicholas, 100 acres, at 2s. 7d.	0	0	0	3	5	0	3	5	0
"	21.	Augustus Charlton, 240 acres, at 2s. 6d.	7	10	0	7	10	0	7	10	0
"	25.	Thomas Kingston, 200 acres, at 2s. 7d.	*5	0	0	5	0	0	5	0	0
May	2.	Timothy Rainsford, 200 acres, at 2s. 3d.	7	12	6	7	12	6	7	12	6
"	"	John Cogle, 200 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	3.	Thomas Richards, 200 acres, at 2s. 9½d.	7	0	0	7	0	0	7	0	0
"	"	Robert King, 200 acres, at 3s.	0	0	0	7	10	0	7	10	0
"	"	Philip Doyle, 100 acres, at 3s. 2½d.	0	0	0	4	0	0	4	0	0
"	"	Jacob Henry, 200 acres, at 2s. 3d.	5	12	6	5	12	6	5	12	6
"	9.	Charles Aché, 100 acres, at 3s. 2½d.	0	0	0	4	0	0	4	0	0
"	15.	Michael Nieff, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
<i>Carried forward</i> ,.....			£440	3	10	£619	4	2	£632	14	2

\* The foregoing are chargeable with interest at the rate of 6 per cent. per annum.

# APPENDIX.

		Purchaser.	2d.			Instalments due.			4th.		
1832.											
		<i>Brought forward</i> ,.....	£440	3	10	£619	4	2	£632	14	2
May 16.		Laurence Hebert, 120 acres, at 3s.	4	10	0	4	10	0	4	10	0
June 7.		Robert Parlee, 200 acres, at 2s. 9½d.	0	0	0	0	0	0	7	0	0
" 14.		John Morehouse, 300 acres, at 3s. 6d.	13	2	6	13	2	6	13	2	6
" 16.		Edward Nicholson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
July 3.		John Meek, 100 acres, at 3s.	0	0	0	0	0	0	3	15	0
" 8.		John Campbell, 200 acres, at 3s. 6d.	0	0	0	8	15	0	8	15	0
" 5.		John Davidson, 100 acres, at 3s.	0	0	0	3	15	0	3	15	0
" 9.		Joseph Allan, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
" 17.		Israel Miller, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
" 23.		Joseph P. Savoy, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
" 24.		Benjamin Bell, 347 acres, at 3s. 6d.	0	0	0	0	0	0	15	3	7½
" "		Alexander Strong, 115 acres, at 3s. 6d.	0	0	0	0	0	0	5	0	7½
August 2.		Richard Crawford, 154 acres, at 3s. 6d.	0	0	0	0	0	0	6	14	9
" 8.		Farquhar Bateman, 200 acres, at 3s.	7	10	0	7	10	0	7	10	0
" 15.		Bryan M'Cormick, 50 acres, at 4s.	2	10	0	2	10	0	2	10	0
" "		Michael Harris, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
" 22.		Charles Dougherty, 150 acres, at 3s. 6d.	6	11	0	6	11	0	6	11	0
" "		John Higgins, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
Sept. 5.		Francis Porter, 145 acres, at 3s.	5	8	9	5	8	9	5	8	9
" 28.		George W. Murphy, 68 acres, at 4s. 7d.	3	18	0	3	18	0	3	18	0
Oct. 2.		Dennis Ryan, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
" 3.		Samuel Martin, 100 acres, at 2s. 7d.	3	5	0	3	5	0	3	5	0
" 9.		Sylvan Cormier, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
		<i>Carried forward</i> ,.....	£510	1	7	£710	6	11	£765	18	5

# APPENDIX.

		Purchaser.				Instalments due.					
1832.			2d.			3d.			4th.		
		<i>Brought forward</i> ,.....	£510	1	7	£710	6	11	£765	18	5
Oct.	19.	John Proctor, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	29.	James Graham, 170 acres, at 3s. 6d.	7	8	9	7	8	9	7	8	9
"	31.	John Thompson, 90 acres, at 6s.	0	0	0	6	15	0	6	15	0
"	31.	John Mooney, 200 acres, at 5s.	6	5	0	6	5	0	6	5	0
Nov.	3.	George Watson, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
"	5.	George Orlee, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	8.	Ann Clark, 130 acres, at 3s.	4	17	6	4	17	6	4	17	6
"	"	Ephraim Wilson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	13.	B. C. Beardsley, 114 acres, at 9s. 2½d.	0	0	0	0	0	0	13	2	6
"	14.	B. C. Beardsley, 220 acres, at 8s. 2d.	22	10	0	22	10	0	22	10	0
"	24.	John O'Hara, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	27.	George Allingham, 70 acres, at 5s. 11d.	0	0	0	5	3	6½	5	3	6½
"	"	George Ambrose, 200 acres, at 3s.	0	0	0	7	10	0	7	10	0
"	29.	Richard Gogen, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
Dec.	3.	Michael Campbell, 228 acres, at 2s. 7½d.	7	10	0	7	10	0	7	10	0
"	"	Daniel M'Millan, 115 acres, at 7s. 3½d.	10	10	0	10	10	0	10	10	0
"	"	John Knowles, 126 acres, at 7s. 1½d.	0	0	0	11	5	0	11	5	0
"	"	William Mullin, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	7.	Philip Dean, 200 acres, at 3s.	0	0	0	7	10	0	7	10	0
"	"	Aaron Darcus, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	10.	William Martin, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Hugh Russell, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	11.	John Murray, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
<i>Carried forward</i> ,.....			£617	5	4	£864	9	2½	£937	10	8½

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1832.		<i>Brought forward</i> ,.....	£617	5	4	£864	9	2½	£937	10	8½
Dec.	12.	Garrett Ross, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	Andrew M'Ray, 220 acres, at 3s. 6d.		0	0	0		0	0	0	
"	20.	Patrick Haney, 100 acres, at 3s. 6d.		0	0	0		4	7	6	
"	"	Thomas Haney, 100 acres, at 3s. 6d.		0	0	0		4	7	6	
"	21.	Charles Stewart, 137 acres, at 3s. 6d.		5	19	10½		5	19	10½	
"	28.	Jeremiah Murphy, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	29.	Thomas Dougherty, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	William Darcus, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
1833.											
Jan.	8.	Daniel O'Donaghoe, 90 acres, at 3s. 6d.		3	18	9		3	18	9	
"	10.	Alexander Wedderburn, 550 acres, at 2s. 6d.		17	3	9		17	3	9	
"	18.	William Bohan, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	Jeremiah O'Brien, 100 acres, at 3s.		3	15	0		3	15	0	
"	22.	Andrew Henry, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	26.	George Atcheson, 233 acres, at 3s. 6d.		0	0	0		10	3	10½	
"	31.	James Ward, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
Feb.	2.	Peter Harcoe, 200 acres, at 3s. 6d.		8	15	0		8	15	0	
"	15.	David Traverse, 200 acres, at 3s.		0	0	0		7	10	0	
"	19.	John Odonnell, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	21.	Abraham Wood, 63 acres, at 10s.		0	0	0		7	17	6	
March	14.	John Dougherty, 170 acres, at 3s.		6	7	6		6	7	6	
"	15.	Philip M'Ray, 300 acres, at 2s. 4d.		0	0	0		8	15	0	
"	19.	William Fleming, 170 acres, at 7s. 6½d.		16	0	0		16	0	0	
"	25.	Robert O'Hara, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
<i>Carried forward</i> ,.....			£718	12	8½	£1,008	17	11½	£1,091	11	11½

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1833.		<i>Brought forward</i> ,.....	£718	12	8½	£1,008	17	11½	£1,091	11	11½
March	25.	James Herrott, 300 acres, at 3s.	11	5	0	11	5	0	11	5	0
	"	28. Robert Russell, 350 acres, at 2s. 1½d.	10	0	0	10	0	0	10	0	0
April	1.	Daniel Hill, Junior, 20 acres, at 12s. 6d.	3	2	6	3	2	6	3	2	6
	"	17. Adam Steeves, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
	"	25. John Collicott, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
	"	26. Henry Johnson, 100 acres, at 3s.	0	0	0	0	0	0	3	15	0
May	20.	Peter Cunningham, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
	"	" John Fortune, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
	"	" Nathaniel Odonnell, 200 acres, at 3s. 4d.	0	0	0	0	0	0	8	6	8
	"	22. Arden Dickenson, 185 acres, at 2s. 10½d.	0	0	0	6	17	6	6	17	6
June	3.	Robert Brooks, 110 acres, at 5s. 11d.	8	2	8½	8	2	8½	8	2	8½
	"	4. William Marley, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
	"	5. Hugh M'Elroy, 150 acres, at 3s. 6d.	0	0	0	0	0	0	6	11	3
	"	12. Solomon Veal, 100 acres, at 3s.	0	0	0	0	0	0	3	15	0
	"	" John M'Evoy, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
	"	14. James Kinne, 170 acres, at 3s. 6d.	0	0	0	7	8	9	7	8	9
	"	15. Jacob Bacon, Junior, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
	"	28. David Alexander, 200 acres, at 3s. 6d.	0	0	0	0	0	0	9	3	9
July	3.	Marcelle Pinette, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
	"	4. Isaac Green, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
	"	5. Michael Quigg, 150 acres, at 3s.	5	12	6	5	12	6	5	12	6
	"	" George Ritchie, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
	"	" Michael Keogh, 150 acres, at 4s. 2d.	6	11	3	6	11	3	6	11	3
<i>Carried forward</i> ,.....			£806	9	2	£1,119	15	8	£1,234	1	4

## APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1833.		<i>Brought forward</i> ,.....	£806	9	2	£1,119	15	8	£1,234	1	4
July	6.	Thomas Doran, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Thomas M'Vie, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	10.	Joseph Webster, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	16.	John Jenkins, 127 acres, at 3s. 6d.	5	11	1½	5	11	1½	5	11	1½
"	19.	John Sowers, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	23.	John Baker, 50 acres, at 3s. 6d.	2	3	9	2	3	9	2	3	9
"	24.	William Allingham, 160 acres, at 3s. 6d.	0	0	0	7	0	0	7	0	0
"	"	David Faulkener, 330 acres, at 3s.	0	0	0	0	0	0	12	7	6
"	25.	Robert Vodden, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	George & William Dunn, 600 acres, at 3s. 6d.	0	0	0	26	5	0	26	5	0
"	30.	Benjamin Hitchcock, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	"	James M'Cane, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	31.	John Dunn, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
Aug.	9.	George Allingham, 120 acres, at 6s.	0	0	0	9	0	0	9	0	0
"	"	Charles Davis, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Lucretia Dempsey, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	George Allingham, 117 acres, at 5s. 11½d.	8	15	0	8	15	0	8	15	0
"	14.	Maxwell Spheres, 97 acres, at 3s. 6d.	0	0	0	4	4	10½	4	4	10½
"	17.	D. Saint George Fraser, 3 roods, 26 poles.	4	10	0	4	10	0	4	10	0
"	20.	Thomas Highland, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Patrick Doyle, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	22.	Benjamin DeWolf, 327 acres, at 3s. 6d.	0	0	0	0	0	0	14	6	1½
Sept.	5.	William Allison. 120 acres, at 2s. 2d.	0	0	0	4	10	0	4	10	0
<i>Carried forward</i> ,.....			£879	19	0½	£1,248	12	11	£1,408	7	2½

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1833.		<i>Brought forward</i> ,.....	£879	19	0½	£1,248	12	11	£1,408	7	2½
Sept.	9.	William Barry, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
"	"	James Hurley, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	11.	Christopher Craig, 200 acres, at 3s. 6d.	0	0	0	0	0	0	8	15	0
"	21.	Paul Kingston, 100 acres, at 3s.	0	0	0	3	15	0	3	15	0
"	"	Clapman Smith, Jun. 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	"	John Anderson, 50 acres, at 3s.	1	17	6	1	17	6	1	17	6
"	"	Clapman Smith, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	26.	James M'Arthur, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	George Young, 50 acres, at 3s. 6d.	2	3	9	2	3	9	2	3	9
"	"	James Carson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Stephen Peabody, 200 acres, at 3s.	0	0	0	0	0	0	7	10	0
Oct.	10.	William Adams, 110 acres, at 3s. 6d.	0	0	0	0	0	0	4	16	3
"	"	Richardson Haddock,	0	0	0	0	0	0	3	0	0
"	12.	Matthew Fitzsimmons, 100 acres, at 3s. 6d.	4	17	6	4	17	6	4	17	6
"	"	Robert Rogers, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	"	Michael Sullivan, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	17.	Andrew Mann, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Andrew Robinson, 100 acres, at 3s.	0	0	0	3	15	0	3	15	0
"	18.	Robert Ward, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	19.	Thomas Murray, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	25.	Joseph Green, 200 acres, at 3s. 6d.	0	0	0	8	15	0	8	15	0
"	"	James Armstrong, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Samuel H. Cronkhite, 150 acres, at 3s. 6d.	0	0	0	6	11	3	6	11	3
<i>Carried forward</i> ,.....			£931	7	9½	£1,327	5	5	£1,519	15	11½



# APPENDIX.

		Purchaser.				Instalments due.					
1833.			2d.			3d.			4th.		
		<i>Brought forward</i> ,.....	£931	7	9½	£1,327	5	5	£1,519	15	11½
Oct.	25.	A. Cronkhite, 150 acres, at 3s. 6d.	0	0	0	6	11	3	6	11	3
"	"	Thomas Caverhill, 236 acres, at 3s. 6d.	10	6	0	10	6	0	10	6	0
"	"	John Relly, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
Nov.	9.	Hector M'Lean, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
"	"	James Lipsitt, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	11.	William P. Libby, 385 acres, at 5s. 5d.	0	0	0	0	0	0	26	9	4½
"	13.	John Barnes, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Thomas Barnes, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Eliphalet Olmstead, 200 acres, at 3s. 6d.	0	0	0	0	0	0	8	15	0
"	"	Benjamin Tibbetts, 200 acres, at 3s. 6d.	0	0	0	0	0	0	8	15	0
"	14.	Joseph Wiseman, 100 acres, at 3s. 2½d.	0	0	0	4	0	0	4	0	0
"	"	Jeremiah O'Hern, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Joseph Cole, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Gavin Kerr, 75 acres, at 3s. 6d.	0	0	0	0	0	0	3	5	7½
"	18.	Patrick Daily, 200 acres, at 3s.	7	10	0	7	10	0	7	10	0
"	20.	Michael Dougherty, 90 acres, at 3s. 6d.	0	0	0	3	18	9	3	18	9
"	28.	Nathaniel Perrot, 200 acres, at 3s.	0	0	0	7	10	0	7	10	0
"	29.	David Melvin, 150 acres, at 3s. 6d.	6	11	3	6	11	3	6	11	3
Dec.	2.	Terence M'Laughlin, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	4.	Ninian Lindsay, 2000 acres, at 8s. 10½d.	0	0	0	0	0	0	221	7	1
"	6.	James Miller, 150 acres, at 3s. 3d.	0	0	0	6	1	10½	6	1	10½
"	"	Jonathan Wilton, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	14.	Albert G. Foster, 600 acres, at 6s. 7d.	49	7	6	49	7	6	49	7	6
<i>Carried forward</i> ,.....			£1,030	2	9½	£1,458	9	9½	£2,018	7	5

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1833.		<i>Brought forward</i> ,.....	£1,030	2	9½	£1,458	9	9½	£2,018	7	5
Dec.	14.	Patrick Birney, 150 acres, at 3s. 6d.	0	0	0	6	11	3	6	11	3
"	19.	Urban Richard, 90 acres, at 4s. 10½d.	5	10	0	5	10	0	5	10	0
"	24.	Elias Brown, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
"	31.	Patrick Abram, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Robert Richardson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
1834.											
Jan.	6.	Richard Martin, 200 acres, at 3s. 6d.	0	0	0	8	15	0	8	15	0
"	8.	John Fitzpatrick, 80 acres, at 3s.	3	0	0	3	0	0	3	0	0
"	"	Jerry Bohan, 116 acres, at 3s. 6d.	5	1	6	5	1	6	5	1	6
"	"	William Bohan, 120 acres, at 3s. 6d.	5	5	0	5	5	0	5	5	0
"	"	Daniel Carroll, 120 acres, at 3s.	4	10	0	4	10	0	4	10	0
"	"	Robert Lobban, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Daniel O'Donaghue, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Patrick Coughlan, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Thomas W. Redmond, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Connell Bohan, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	14.	Moses Gilmore, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
Feb.	4.	Jeremiah Harley, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	10.	Patrick Murphy, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	18.	Thomas Smith, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	25.	John Butler, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
March	3.	Oliver A. Pittfield, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	"	Elihu Coggsell, 100 acres, at 9s.	0	0	0	0	0	0	11	5	0
"	10.	William Clark, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
<i>Carried forward</i> ,.....			£1,122	4	3½	£1,470	5	0½	£2,141	7	8
			95								

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1834.		<i>Brought forward</i> ,.....	£1,122	4	3½	£1,470	5	0½	£2,141	7	8
March 10.		John Clark, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	20.	Patrick Atheridge, 200 acres, at 2s. 6d.	0	0	0	6	5	0	6	5	0
April 14.		Thomas Smith, 160 acres, at 3s. 3½d.	0	0	0	6	12	6	6	12	6
"	21.	Charles Clark, 100 acres, at 3s. 6d.	0	0	0	0	0	0	4	7	6
"	26.	Alexander Copp, 200 acres, at 3s.	7	10	0	7	10	0	7	10	0
"	28.	William Wilson, 150 acres, at 3s. 6d.	0	0	0	6	11	3	6	11	3
May 6.		Thomas Turner, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	7.	Magnus Anderson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	John Cleveland, 300 acres, at 3s. 6d.	0	0	0	0	0	0	13	2	6
"	23.	John Robicheau, 50 acres, at 5s.	0	0	0	3	2	6	3	2	6
"	"	Dominique Robicheau, 50 acres, at 6s.	0	0	0	3	15	0	3	15	0
"	"	Edward Carl, 100 acres, at 3s. 6d.	0	0	0	4	7	6	4	7	6
"	"	Daniel Malony, 100 acres, at 3s. 3½d.	4	2	6	4	2	6	4	2	6
June 2.		Duncan Barber, 1000 acres, at 6s. 6½d.	0	0	0	0	0	0	82	5	10
"	14.	Reuben Brockway, 300 acres, at 3s. 6d. ( <i>bond.</i> )	0	0	0	13	2	6	13	2	6
"	19.	Archibald O'Dougherty, 200 acres, at 3s. 3½d.	8	5	0	8	5	0	8	5	0
"	"	William Scott, 100 acres, at 3s. 3½d.	4	2	6	4	2	6	4	2	6
"	25.	William Anderson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Abel Pond, 190 acres, at 3s. 6d.	0	0	0	0	0	0	8	6	3
"	30.	Adoniram Gilmore, 95 acres, at 3s. 4½d.	4	0	0	4	0	0	4	0	0
July 2.		Gregor M'Gregor, 170 acres, at 3s. 6d.	7	8	9	7	8	9	7	8	9
"	8.	John Gowan, 300 acres, at 3s. 6d.	0	0	0	13	2	6	13	2	6
"	21.	John Weeks, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
<i>Carried forward</i> ,.....			£1,183	18	0½	£1,588	17	6½	£2,368	2	3

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1834.		<i>Brought forward</i> ,.....	£1,183	18	0½	£1,588	17	6½	£2,368	2	3
July	21.	John Campbell, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	John Porter, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	23.	Michael Martin, 150 acres, at 3s. 6d.	6	11	3	6	11	3	6	11	3
"	26.	Alexander Martin, 250 acres, at 3s. 6d.	10	18	9	10	18	9	10	18	9
"	"	Elijah Greenlaw, 80 acres, at 5s.	5	0	0	5	0	0	5	0	0
"	"	S. E. Greenlaw, 50 acres, at 5s.	3	2	6	3	2	6	3	2	6
"	"	James Thompson, 340 acres, at 5s.	2	2	6	2	2	6	2	2	6
Aug.	4.	Charles Emery, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Isaac Stone, 50 acres, at 4s.	2	10	0	2	10	0	2	10	0
"	8.	John Gormley, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	11.	Catharine Casey, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0
"	12.	Jeremiah Ullock, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	David Sullivan, 90 acres, at 3s. 6d.	3	18	9	3	18	9	3	18	9
"	"	Dennis M'Carthy, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Cornelius Regan, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	18.	Robert Dobson, 120 acres, at 3s. 4d.	5	0	0	5	0	0	5	0	0
"	22.	John Gowan, Jun. 110 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Joseph M'Namara, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	John Kelly. 90 acres, at 3s. 4d.	3	15	0	3	15	0	3	15	0
"	23.	Isaac Garcelon, 387 acres, at 3s. 6d.	0	0	0	0	0	0	16	8	7½
"	26.	Thomas Mahoney, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
Sept.	1.	Frederick Weaver, 197 acres, at 3s. 6 d.	8	12	4½	8	12	4½	8	12	4½
"	"	James Vernon, 130 acres, at 3s. 6d.	0	0	0	5	13	9	5	13	9
		<i>Carried forward</i> ,.....	£1,291	1	8	£1,701	14	11	£2,497	8	3

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1834.		<i>Brought forward</i> ,.....	£1,291	1	8	£1,701	14	11	£2,497	8	3
Sept.	1.	Merrill Whittier, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	James M'Curdy, 100 acres, at 3s. 6d.		0	0	0		4	7	6	
"	2.	Hugh Jamieson, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	14.	John Chalmers, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	25.	Joseph Baker, 136 acres, at 6s.		10	4	0		10	4	0	
Oct.	1.	George F. Latham, 100 acres, at 3s.		3	15	0		3	15	0	
"	2.	David Muir, 100 acres, at 4s.		5	0	0		5	0	0	
"	7.	James Gardner, 100 acres, at 4s.		5	0	0		5	0	0	
"	17.	Thomas Berry, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	28.	George Taylor, 100 acres, at 3s. 3½d.		4	2	6		4	2	6	
"	29.	Darby Coffee, 100 acres, at 5s.		6	5	0		6	5	0	
"	"	Patrick Ryan, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	30.	Edward Doyle, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	William Hughson, 215 acres, at 3s. 6d.		0	0	0		9	8	1½	
Nov.	4.	John Jardine, 75 acres, at 5s.		4	13	9		4	13	9	
"	6.	William Caughey, 100 acres, at 5s. (bond.)		0	0	0		6	5	0	
"	"	Ira Miller, 150 acres, at 4s.		0	0	0		7	10	0	
"	13.	William Walsh, 100 acres, at 3s. 6d.		0	0	0		0	0	0	
"	14.	Sutton Armstrong, 200 acres, at 3s. 6d.		8	15	0		8	15	0	
"	"	Angus Boice, 100 acres, at 6s. (bond.)		7	10	0		7	10	0	
"	24.	Leveret Snider, 150 acres, at 3s. 6d. "		0	0	0		6	11	3	
"	26.	William Carson, 200 acres, at 3s. 6d. "		8	15	0		8	15	0	
Dec.	16.	William Beck, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
		<i>Carried forward</i> ,.....	£1,385	14	5	£1,930	9	6½	£2,630	10	4½

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1835.		<i>Brought forward</i> ,.....	£1,385	14	5	£1,930	9	6½	£2,630	10	4½
Jan.	2.	Thomas Hamilton, 100 acres, at 3s. 6d. ( <i>bond.</i> )	0	0	0	4	7	6	4	7	6
"	6.	Thomas Kirkpatrick, 70 acres, at 4s.	"	0	0	0	0	0	5	0	0
"	14.	Ezra Scribner, 150 acres, at 4s.	"	7	10	0	7	10	7	10	0
"	15.	William M'Gregor, 20 acres, at 6s.		1	10	0	1	10	1	10	0
"	19.	William Johnson, 100 acres, at 4s.		5	0	0	5	0	5	0	0
"	"	James Fraser, Jun. 100 acres, at 6s.	"	0	0	0	7	10	7	10	0
"	22.	Sylvanus L. Blake, 100 acres, at 3s. 3½d.	"	4	11	3	4	11	4	11	3
"	23.	Matthew Wheelan, 100 acres, at 4s.		5	0	0	5	0	5	0	0
"	27.	Daniel Sullivan, 225 acres, at 6s.		16	17	6	16	17	16	17	6
"	30.	Dennis Ryan, 200 acres, at 3s. 6d.	"	0	0	0	8	15	8	15	0
"	31.	George J. Owens, 100 acres, at 4s.	"	5	0	0	5	0	5	0	0
Feb.	3.	Samuel Taylor,		4	7	6	4	7	4	7	6
"	"	Peter L. Smith, 30 acres, at 11s. 9d.		0	0	0	0	0	4	8	1½
"	"	Justus Bunnell, 200 acres, at 1s. 6d.	"	0	0	0	3	15	3	15	0
"	9.	William Crawford, 100 acres, at 3s. 6d.	"	4	7	6	4	7	4	7	6
"	16.	Andrew Aché, 160 acres, at 3s. 6d.	"	0	0	0	7	0	7	0	0
"	20.	John M'Laughlan, 130 acres, at 3s.	"	0	0	0	0	0	4	17	6
"	27.	Ann Nisbett, 100 acres, at 3s.	"	0	0	0	3	15	3	15	0
March	5.	Peter Lantagne, 60 acres, at 3s.	"	0	0	0	2	5	2	5	0
"	6.	William Hemphill, 100 acres, at 3s. 6d.	"	0	0	0	4	7	4	7	6
"	9.	L. W. Gall, 140 acres, at 3s. 6d.	"	6	2	6	6	2	6	2	6
"	14.	Peter Stewart, 200 acres, at 3s. 6d.	"	0	0	0	0	0	8	15	0
"	17.	Michael Dougherty, 140 acres, at 3s.		5	5	0	5	5	5	5	0
<i>Carried forward</i> ,.....			£1,451	5	8	£2,037	15	9½	£2,760	17	3
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# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1835.		<i>Brought forward</i> ,.....	£1,451	5	8	£2,037	15	9½	£2,760	17	3
March 19.		Charles E. Smith, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	William Smith, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
April 2.		Samuel Bagley, 100 acres, at 4s. (bond.)		5	0	0		5	0	0	
"	7.	John O. Kenney, 200 acres, at 3s. 6d.	"	8	15	0		8	15	0	
"	25.	Henry Whittier, Sen. 200 acres, at 3s.	"	7	10	0		7	10	0	
"	28.	John Montgomery, 100 acres, at 4s.	"	0	0	0		0	0	0	
May 7.		Edward Kennedy, 160 acres, at 4s.	"	8	0	0		8	0	0	
"	"	Michael M'Carthy, 100 acres, at 3s. 3½d.	"	4	2	6		4	2	6	
"	18.	Mary Pratt, 10 acres, at 20s.	"	0	0	0		2	5	0	
"	19.	Martin Reordan, 100 acres, at 3s.	"	3	15	0		3	15	0	
June 12.		John Campbell, 50 acres, at 4s.	"	0	0	0		2	10	0	
"	16.	James London, 100 acres, at 4s.	"	5	0	0		5	0	0	
"	"	Robert Bleakney, 100 acres, at 4s.		5	0	0		5	0	0	
"	22.	John Brown, 260 acres, at 3s. 6d.	"	0	0	0		0	0	0	
July 3.		Thomas Gregory, 150 acres, at 2s. 8d.	"	0	0	0		5	0	0	
"	9.	Edward Trahar, 100 acres, at 4s.	"	5	0	0		5	0	0	
"	13.	Peter Grant, 50 acres, at 4s.		0	0	0		2	10	0	
"	17.	Lezare Chasson, 50 acres, at 3s.	"	0	0	0		0	0	0	
"	"	Eloi Lantagne, 19 acres, at 7s. 10½d.	"	0	0	0		1	17	6	
"	"	Fabian Aché, 60 acres, at 2s. 6d.	"	2	5	0		2	5	0	
"	"	Augustin Blanchard, 100 acres, at 3s.	"	3	15	0		3	15	0	
"	24.	Patrick Donaghue, 200 acres, at 3s. 6d.	"	8	15	0		8	15	0	
"	"	Philip Ryan, 200 acres, at 3s. 6d.	"	0	0	0		8	15	0	
		<i>Carried forward</i> ,.....	£1,256	18	2	£2,136	5	9½	£2,878	12	3

# APPENDIX.

1835.	Purchaser.	Instalments due.			4th.
		2d.	3d.		
	<i>Brought forward</i> ,.....	£1,526 18 2	£2,136 5 9½	£2,878 12 3	
July 24.	William Boyle, 200 acres, at 3s. 6d. ( <i>bond.</i> )	8 15 0	8 15 0	8 15 0	
" "	Joseph Griffiths, 200 acres, at 3s. 6d. "	8 15 0	8 15 0	8 15 0	
" 25.	Robert H. Montgomery, 200 acres, at 3s. "	0 0 0	7 10 0	7 10 0	
" "	William Montgomery, 200 acres, at 3s. "	0 0 0	7 10 0	7 10 0	
" "	Andrew Rourke, 200 acres, at 3s. "	7 10 0	7 10 0	7 10 0	
" 28.	James Campbell, 600 acres, at 5s. "	0 0 0	37 10 0	37 10 0	
" "	John M'Master, 300 acres, at 5s. "	0 0 0	18 15 0	18 15 0	
" 31.	James Douglas, 8000 acres, at 5s. "	500 0 0	500 0 0	500 0 0	
" "	Henry Seelye, 2800 acres, at 4s. 6d. "	0 0 0	157 10 0	157 10 0	
Aug. 1.	Thos. Pickard, Jun. 188 acres, at 6s. "	0 0 0	0 0 0	14 2 0	
" 4.	Warren Drake, 96 acres, at 4s. "	4 16 0	4 16 0	4 16 0	
" 5.	John Bubar, 90 acres, at 5s. "	0 0 0	5 12 6	5 12 6	
" "	William Bubar, 100 acres, at 5s. "	6 5 0	6 5 0	6 5 0	
" 7.	Duncan Barber, 2000 acres, at 10s. "	0 0 0	250 0 0	250 0 0	
" "	Duncan Barber, 2500 acres, at 10s. 3d. "	0 0 0	320 6 3	320 6 3	
" 11.	Elijah B. Watson, 200 acres, at 8s. "	20 0 0	20 0 0	20 0 0	
" 15.	James Donagher, 140 acres, at 2s. 6d. "	4 7 6	4 7 6	4 7 6	
" "	Timothy Murray, 95 acres, at 4s. "	4 15 0	4 15 0	4 15 0	
" 18.	Paul M'Donald, 500 acres, at 5s. 3d. "	0 0 0	32 16 3	32 16 3	
" "	C. C. Bradbury 8000 acres, at 7s. 6½d. "	0 0 0	0 0 0	753 2 6	
" "	Andrew Murphy, 170 acres, at 3s. 6d. "	0 0 0	7 8 9	7 8 9	
" 22.	S. P. Frink, 4000 acres, at 9s. 3d. "	462 10 0	462 10 0	462 10 0	
" "	John Marks, 5800 acres, at 7s. 1½d. "	516 17 6	516 17 6	516 17 6	
	<i>Carried forward</i> ,.....	£3,071 9 2	£4,525 15 6½	£6,035 6 6	



# APPENDIX.

1835.	Purchaser.	2d.			Instalments due.			4th.		
					3d.					
	<i>Brought forward</i> ,.....	£3,071	9	2	£4,525	15	6½	£6,035	6	6
Aug. 25.	James Campbell, 6000 acres, at 5s. 3d. ( <i>bond.</i> )	393	15	0	393	15	0	393	15	0
" "	Peter Stubs, 4000 acres, at 9s. 3d.	0	0	0	462	10	0	462	10	0
" 26.	George Lafferty, 200 acres, at 2s. 6d.	"	0	0	6	5	0	6	5	0
" 27.	D. & P. Pinio. 3000 acres, at 7s. 3d.	271	17	6	271	17	6	271	17	6
" 31.	Cumming Robinson, 1600 acres, at 5s. 1d.	"	0	0	0	0	0	105	0	0
" "	Josephus Moore, 10,000 acres, at 5s. 3d.	656	5	0	656	5	0	656	5	0
" "	Thomas Davis, 234 acres, at 8s. 1½d.	"	25	0	25	0	0	25	0	0
Sept. 2.	Bryan Martin, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
" 7.	Samuel Dickenson, 400 acres, at 4s.	20	0	0	20	0	0	20	0	0
" 10.	John W. Burns, 100 acres, at 3s. 6d.	"	0	0	4	7	6	4	7	6
" 14.	Joseph Culberson, 168 acres, at 5s.	"	10	10	10	10	0	10	10	0
" 22.	Henry Dickson, 100 acres, at 2s. 6d.	"	3	2	3	2	6	3	2	6
" "	James Loial, 112 acres, at 5s. 11½d.	"	0	0	0	0	0	8	7	0
" 24.	Charles Emery,	20	0	0	20	0	0	20	0	0
" 26.	John Roberts, 50 acres, at 4s. 1d.	0	0	0	2	11	11½	2	11	11½
" "	James Campbell, 200 acres, at 4s.	"	10	0	10	0	0	10	0	0
" "	Duncan Barber, 300 acres, at 3s. 6d.	"	0	0	13	2	6	13	2	6
" 28.	Patrick Magher, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
" "	Thomas C. Perley, 4960 acres, at 6s. 2d.	"	0	0	385	1	8	385	1	8
Oct. 1.	Sandy Arnold, 40 acres, at 4s.	"	2	0	2	0	0	2	0	0
" "	F. E. Beckwith, 4450 acres, at 5s. 3½d.	294	11	11	294	11	11	294	11	11
" 5.	James Dorah, 200 acres, at 2s. 6d.	"	6	5	6	5	0	6	5	0
" 9.	Barnabas Armstrong, 200 acres, at 3s. 6d.	"	8	15	8	15	0	8	15	0
" "	Benjamin Slood, 200 acres, at 3s. 6d.	"	0	0	8	15	0	8	15	0
<i>Carried forward</i> ,.....		£4,804	16	1	£7,141	16	1	£8,864	14	0½

## APPENDIX.

1835.		Purchaser.	2d.			Instalments due. 3d.			4th.		
		<i>Brought forward</i> ,.....	£4,804	16	1	£7,141	16	1	£8,864	14	0½
Oct.	24.	John W. Lounsbury, 200 acres, at 4s. (bond.)	0	0	0	10	0	0	10	0	0
"	"	Abraham Lewis, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	26.	Charles M'Pherson, 4 acres.	"	26	12 8½	26	12	8½	26	12	8½
"	29.	James Manning, 100 acres, at 4s.	"	5	0 0	5	0	0	5	0	0
"	"	Samuel Tracey, 200 acres, at 4s.	"	10	0 0	10	0	0	10	0	0
"	"	John Gillespie, 100 acres, at 4s.	"	5	0 0	5	0	0	5	0	0
"	31.	John Adams, 140 acres, at 3s. 2½d.		7	0 0	7	0	0	7	0	0
"	"	Thomas Corey, 50 acres, at 3s.	"	1	17 6	1	17	6	1	17	6
"	"	William O'Brien, 115 acres, at 4s.		0	0 0	5	15	0	5	15	0
"	"	Michael Donovan, 119 acres, at 4s.		5	19 0	5	19	0	5	19	0
"	"	James Kearney, 129 acres, at 4s. 6d.	"	7	5 1½	7	5	1½	7	5	1½
"	"	John O'Keef, 87 acres, at 4s. 6d.	"	4	17 10½	4	17	10½	4	17	10½
Nov.	2.	Thomas Coran, 100 acres, at 4s. 1d.	"	5	2 7	5	2	7	5	2	7
"	"	Rufus S. DeMill, 200 acres, at 4s. 3d.	"	10	12 6	10	12	6	10	12	6
"	"	Michael M'Gee, 120 acres, at 7s. 1d.	"	10	12 6	10	12	6	10	12	6
"	"	John Connor, 200 acres, at 4s. 6d.	"	0	0 0	0	0	0	11	5	0
"	7.	William J. Berton, 140 acres, at 3s. 6d.		6	2 6	6	2	6	6	2	6
"	9.	Thomas Barret, 189 acres, at 4s.		0	0 0	9	9	0	9	9	0
"	10.	James Tobin, 100 acres, at 4s.	"	0	0 0	5	0	0	5	0	0
"	12.	James Hartley, 270 acres, at 3s. 6d.	"	0	0 0	0	0	0	8	8	9
"	16.	John Hosford, 74 acres, at 6s.	"	5	11 0	5	11	0	5	11	0
"	18.	Daniel Sinclair, 200 acres, at 4s.		10	0 0	10	0	0	10	0	0
"	19.	John Ritchie, 100 acres, at 4s.	"	5	0 0	5	0	0	5	0	0
<i>Carried forward</i> ,.....			£4,936	9	4½	£7,303	13	4½	£9,046	5	1

# APPENDIX.

		Purchaser.	Instalments due.									
			2d.			3d.			4th.			
1835.		<i>Brought forward</i> ,.....	£4,936	9	4½	£7,303	13	4½	£9,046	5	1	
Nov.	20.	William J. Bedell, 2560 acres, at 2s. 6d.	0	0	0	80	0	0	80	0	0	
"	"	William J. Bedell, 400 acres, at 4s.	0	0	0	20	0	0	20	0	0	
"	"	Charles M'Lean, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0	
"	21.	Ninian Lindsay, 10,000 acres, at 8s. 3d.	1,237	10	0	1,237	10	0	1,237	10	0	
Dec.	1.	Dennis Hurley, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0	
"	2.	Charles M'Connell, 100 acres, at 4s. (bond.)	5	0	0	5	0	0	5	0	0	
"	4.	Thomas Pickard, ½ acre.	"	0	0	0	42	12	6	42	12	6
"	"	A. T. Coburn, ¼ acre.	"	0	0	0	35	10	0	35	10	0
"	7.	Duncan Barber, 10,000 acres, at 6s.	"	0	0	0	750	0	0	750	0	0
"	11.	Benjamin Ingram, 110 acres, at 2s. 8d.	"	0	0	0	3	8	9	3	8	9
"	15.	Daniel M'Laughlan, 100 acres, at 5s.	"	6	5	0	6	5	0	6	5	0
"	"	James Campbell, 1600 acres, at 4s. 1d.	"	81	13	4	81	13	4	18	13	4
"	17.	John Gowan, 100 acres, at 4s.	"	5	0	0	5	0	0	5	0	0
"	22.	James Salter, 200 acres, at 2s.	"	0	0	0	5	0	0	5	0	0
"	"	John Salter, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0	
"	"	Bartholomew Welton, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0	
"	"	Walter Carew, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0	
"	24.	Benjamin Ingram, 800 acres, at 5s.	0	0	0	50	0	0	50	0	0	
"	"	Moses Gordine, 200 acres, at 3s.	7	10	0	7	10	0	7	10	0	
"	29.	Alexander Stewart, 300 acres, at 2s.	"	0	0	0	7	10	0	7	10	0
1836.												
Jan.	2.	Joseph Everitt, 200 acres, at 4s.	"	0	0	0	10	0	0	10	0	0
"	"	George Kirkpatrick, 100 acres, at 4s.	"	5	0	0	5	0	0	5	0	0
"	4.	George Mathew, 200 acres, at 5s.	"	0	0	0	12	10	0	12	10	0
<i>Carried forward</i> ,.....			£6,304	7	8½	£9,698	2	11½	£11,377	14	8	

## APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.			
1836.		<i>Brought forward</i> ,.....	£6,304	7	8½	£9,698	2	11½	£11,377	14	8	
Jan.	8.	Harris Hatch, 1000 acres, at 3s. 6d. ( <i>bond.</i> )	0	0	0	43	15	0	43	15	0	
"	11.	Anthony Lockwood, 100 acres, at 5s.	"	11	5	0	11	5	0	11	5	0
"	12.	James Albee, 1800 acres, at 6s. 3d.	"	140	12	6	140	12	6	140	12	6
"	18.	Patrick Smith, 96 acres, at 5s.	"	6	0	0	6	0	0	6	0	0
"	"	William Wiley, 100 acres, at 5s.		6	5	0	6	5	0	6	5	0
"	20.	James Sproule, 100 acres, at 3s. 6d.	"	0	0	0	4	7	6	4	7	6
"	"	John Robinson, 100 acres, at 3s. 6d.		4	7	6	4	7	6	4	7	6
"	"	William M'Cann, 106 acres, at 4s.	"	5	6	0	5	6	0	5	6	0
"	"	Daniel Sullivan, 216 acres, at 4s.	"	0	0	0	10	16	0	10	16	0
"	"	John Donavan, 89 acres, at 4s.	"	0	0	0	4	9	0	4	9	0
"	22.	William Dunn, 110 acres, at 2s.	"	0	0	0	2	15	0	2	15	0
"	"	William M'Donald, 110 acres, at 2s.	"	0	0	0	2	15	0	2	15	0
"	25.	John Buckley, 100 acres, at 4s.	"	5	0	0	5	0	0	5	0	0
"	27.	George Trites, 166 acres, at 4s.	"	0	0	0	8	6	0	8	6	0
"	"	Abraham Trites, 166 acres, at 4s.	"	0	0	0	8	6	0	8	6	0
"	"	Robert Maddison, 166 acres, at 4s.	"	0	0	0	8	6	0	8	6	0
"	"	William Fillemore, 170 acres, at 5s.	"	10	12	6	10	12	6	10	12	6
Feb.	1.	Elias Slood, 100 acres, at 3s. 6d.		0	0	0	4	7	6	4	7	6
"	2.	Edward O'Brien, 100 acres, at 4s.		5	0	0	5	0	0	5	0	0
"	"	Francis M'Lauring, 80 acres, at 4s.	"	0	0	0	4	0	0	4	0	0
"	3.	Edward Carl, 300 acres, at 3s.		3	15	0	3	15	0	3	15	0
"	4.	William N. Akerly, 300 acres, at 5s. 1d.	"	19	1	3	19	1	3	19	1	3
"	9.	George Cain, 100 acres, at 4s.	"	0	0	0	5	0	0	5	0	0
<i>Carried forward</i> .....			£6,521	12	5½	£10,022	10	8½	£11,702	2	5	

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.					
1836.		<i>Brought forward</i> ,.....	£6,521	12	5½	£10,022	10	8½	£11,702	2	5			
Feb. 16.		William O'Brien, Jun. 130 acres, at 4s. 6d. ( <i>bond.</i> )	0	0	0		7	6	3	7	6	3		
" 18.		James Rait, 520 acres, at 5s. 1d.	33	0	10		33	0	10	33	0	10		
" 20.		William Atkinson, 200 acres, at 5s.	"	12	10	0		12	10	0	12	10	0	
" 22.		Asa Foster, 100 acres, at 3s. 6d.		0	0	0		4	7	6	4	7	6	
" 26.		James Burgess, 200 acres, at 4s. 2d.	"	0	0	0		10	8	4	10	8	4	
March 1.		Alexander Cain, 100 acres, at 6s.		0	0	0		7	10	0	7	10	0	
" "		Alexander Campbell, 3000 acres, at 7s. 3d.	"	271	17	6		271	17	6	271	17	6	
" 5.		Brice Creighton, 200 acres, at 6s.	"	15	0	0		15	0	0	15	0	0	
" "		James Rait, 1000 acres, at 8s. 3d.	"	103	2	6		103	2	6	103	2	6	
" "		James Rait, 400 acres, at 7s. 9d.	"	38	15	0		38	15	0	38	15	0	
" 9.		Thomas Nason, Jun. 100 acres, at 4s.	"	0	0	0		5	0	0	5	0	0	
" 10.		Joseph Storey, 100 acres, at 4s.	"	5	0	0		5	0	0	5	0	0	
" 12.		Patrick Sheridan, 100 acres, at 6s.	"	7	10	0		7	10	0	7	10	0	
" 14.		Nathan Cleveland, 70 acres, at 3s. 6d.		0	0	0		3	1	3	3	1	3	
" 18.		Harris Hatch, 390 acres, at 5s.	"	24	7	6		24	7	6	24	7	6	
" 19.		Thomas Dempsey, 200 acres, at 2s. 6d.		0	0	0		6	5	0	6	5	0	
" "		David Cronan, 100 acres, at 2s. 6d.		0	0	0		3	2	6	3	2	6	
" "		Patrick Sisk, 200 acres, at 2s. 6d.		0	0	0		6	5	0	6	5	0	
" "		John Cusson, 180 acres, at 2s. 6d.		5	12	6		5	12	6	5	12	6	
" 21.		Beverley Robinson, 6,400 acres, at 5s. 1d. and 400 " at 4s. 1d.	"	427	1	8		427	1	8	427	1	8	
" 22.		John Stewart, 100 acres, at 4s.	"	0	0	0		5	0	0	5	0	0	
April 8.		James Tibbets, Wharf Lot.		0	0	0		20	0	0	20	0	0	
" 30.		John Breen, 116 acres, at 6s.	"	0	0	0		8	14	0	8	14	0	
			<hr/>			<hr/>			<hr/>					
			<i>Carried forward</i> ,.....			£8,322	6	6½	£11,916	3	6	£13,571	17	9

# APPENDIX.

		Purchaser.	2d.			Instalments due.			4th.				
1836.						3d.							
		<i>Brought forward</i> ,.....	£8,322	6	6½	£11,916	3	6	£13,571	17	9		
April	30.	G. F. S. Berton, 100 acres, at 6s.		7	10	0		7	10	0	0		
May	2.	John Shaddock, 100 acres, at 5s. 1d.		6	7	1		6	7	1	1		
"	3.	Stephen White, 200 acres, at 6s. 1d. ( <i>bond</i> )		15	4	2		15	4	2	2		
"	4.	Samuel Abbott, 10,000 acres, at 6s.	"	750	0	0		750	0	0	0		
"	"	John Davidson, 500 acres, at 6s.	"	37	10	0		37	10	0	0		
"	5.	John M'Carthy, 90 acres, at 4s.	"	4	10	0		4	10	0	0		
"	10.	William Rogers, 200 acres, at 3s. 6d.	"	8	15	0		8	15	0	0		
"	11.	John Flemming, 200 acres, at 3s. 6d.	"	0	0	0		8	15	0	0		
"	"	James Evans, 200 acres, at 4s.		10	0	0		10	0	0	0		
"	"	George Ewart, 160 acres, at 5s.		10	0	0		10	0	0	0		
"	"	John M'Allister, 200 acres, at 3s. 6d.	"	0	0	0		0	0	0	8	15	0
"	13.	Timothy Murphy, 100 acres, at 6s.	"	7	10	0		7	10	0	7	10	0
"	14.	Peter Milton, 182 acres, at 3s. 6d.	"	7	19	3		7	19	3	7	19	3
"	18.	Isaac Garcelon, 3 acres, 6. 13. 8.	"	5	0	3		5	0	3	5	0	3
"	19.	John D. Jouett, 200 acres, at 6s.	"	15	0	0		15	0	0	15	0	0
June	1.	James Haslett, 100 acres, at 5s.	"	6	5	0		6	5	0	6	5	0
"	"	Christopher Murray, 5,000 acres, at 6s.	"	375	0	0		375	0	0	375	0	0
"	4.	John E. Messinett, 200 acres, at 6s.	"	15	0	0		15	0	0	15	0	0
"	6.	James S. Langen, 100 acres, at 3s. 6d.	"	0	0	0		0	0	0	4	7	6
"	7.	James Keith, 100 acres, at 4s.	"	0	0	0		5	0	0	5	0	0
"	10.	William Warren, 160 acres, at 6s.		12	0	0		12	0	0	12	0	0
"	13.	James Walsh, 200 acres, at 2s. 6d.		6	5	0		6	5	0	6	5	0
"	21.	James Delaney, 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	3	2	6
<i>Carried forward</i> ,.....			£9,625	4	9½	£13,232	16	9	£14,901	13	6		

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# APPENDIX.

		Purchaser.	Instalments due.					
1836.			2d.	3d.	4th.			
		<i>Brought forward</i> ,.....	£9,625	4 9½	£13,232	16 9	£14,901	13 6
June.	22.	Bryan M'Cormick, 105 acres, at 5s. 4d.	7 0 0	7 0 0	7 0 0			
"	"	William B. Killan, 250 acres, at 3s. 6d. ( <i>bond</i> .)	0 0 0	10 18 9	10 18 9			
"	25.	George Eaton, 200 acres, at 10s. 2d.	0 0 0	25 4 2	25 4 2			
"	27.	William Crandlemire, 100 acres, at 4s.	5 0 0	5 0 0	5 0 0			
July	1.	Martin Walsh, 100 acres, at 3s 6d.	0 0 0	4 7 6	4 7 6			
"	"	Augustine Maillett, 180 acres, at 3s. 6d.	7 17 6	7 17 6	7 17 6			
"	4.	Henry T. Partelow, 295 acres, at 6s.	22 8 5½	22 8 5½	22 8 5½			
"	"	Joshua, Giberson, 100 acres, at 6s. 1d.	7 12 1	7 12 1	7 12 1			
"	"	Daniel L. Robinson, 200 acres, at 10s. 2d.	25 4 2	25 4 2	25 4 2			
"	"	Duncan Barber, 100 acres, at 8s. 1d.	10 2 1	10 2 1	10 2 1			
"	"	Duncan Barber, 160 acres, at 6s. 1d.	12 3 4	12 3 4	12 3 4			
"	"	William J. Bedell, 18,000 acres, at 6s. 1d.	1,368 15 0	1,368 15 0	1,368 15 0			
"	"	Paul M'Donald, 290 acres, at 8s. 1d.	29 6 0½	29 6 0½	29 6 0½			
"	"	Paul M'Donald, 100 acres, at 10s. 1d.	12 12 1	12 12 1	12 12 1			
"	6.	James Fraser, 5000 acres, at 5s. 6d.	0 0 0	343 15 0	343 15 0			
"	15.	Joseph Read, 18 acres, 4. 2. 1.	19 10 0	19 10 0	19 10 0			
"	19.	Moses Barber, 200 acres, at 5s.	0 0 0	12 10 0	12 10 0			
Aug.	1.	John M'Bane, 360 acres, at 6s. 1d.	27 7 6	27 7 6	27 7 6			
"	"	Thomas Coughlan, 100 acres, at 6s. 1d.	7 12 1	7 12 1	7 12 1			
"	"	James Stickney, 200 acres, at 5s.	12 10 0	12 10 0	12 10 0			
"	"	Charles Quinn, 100 acres, at 6s. 1d.	7 12 1	7 12 1	7 12 1			
"	"	Joseph Pratt, 300 acres, at 6s. 1d.	22 16 3	22 16 3	22 16 3			
"	"	Francis Gordon, 200 acres, at 6s. 1d.	15 4 2	15 4 2	15 4 2			
<i>Carried forward</i> ,.....			£11,245 17 7½	£15,249 4 8½	£16,919 1 8½			

# APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.			
1836.		<i>Brought forward</i> ,.....	£11,245	17	7½	£15,249	4	8½	£16,919	1	8½	
Aug.	2.	John M'Cafferty, 280 acres, at 10s.	35	0	0	35	0	0	35	0	0	
"	"	William Carruthers, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0	
"	4.	Thomas W. Underhill, 172 acres, at 6s. (bond.)	12	18	0	12	18	0	12	18	0	
"	5.	Matthias Price, 150 acres, at 3s. 3d	0	0	0	6	3	9	6	3	9	
"	8.	Lewis Supler, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0	
"	"	Andrew Thompson, 150 acres, at 3s. 6d.	6	11	3	6	11	3	6	11	3	
"	"	William Parker, 100 acres, at 5s.	6	5	0	6	5	0	6	5	0	
"	11.	Mathew Harding, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0	
"	"	Thomas Crawford, 200 acres, at 3s. 6d.	"	8	15	0	8	15	0	8	15	0
"	"	Bartholomew Buckley, 250 acres, at 1s. 7d.	0	0	0	5	0	0	5	0	0	
"	"	Arthur Nicholson, 220 acres, at 4s. 6d.	"	12	7	6	12	7	6	12	7	6
"	12.	Tristram Hilman, 185 acres, at 4s.	0	0	0	9	5	0	9	5	0	
"	26.	Timothy Ready, 200 acres, at 3s.	0	0	0	7	10	0	7	10	0	
"	"	James Milican, 590 acres, at 5s.	"	0	0	0	36	17	6	36	17	6
"	27.	John Mills, 50 acres, at 10s.	"	0	0	0	6	5	0	6	5	0
Sept.	2.	Thomas M'Cready, 125 acres, at 3s. 6d.	0	0	0	5	9	4½	5	9	4½	
"	5.	John M'Cormick, 30 acres, at 10s.	"	3	15	0	3	15	0	3	15	0
"	"	Joshua Giberson, 125 acres, at 6s.	9	7	6	9	7	6	9	7	6	
"	6.	Joseph N. Clark, 3,000 acres, at 6s. 3d.	0	0	0	234	7	6	234	7	6	
"	7.	Peter Smith, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0	
"	"	Patrick Jones, 100 acres, at 5s.	0	0	0	6	5	0	6	5	0	
"	8.	Samuel Tracey, Jun. 50 acres, at 6s.	3	15	0	3	15	0	3	15	0	
"	"	Thomas O'Keleher, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0	
<i>Carried forward</i> ,.....			£11,379	11	10½	£15,601	2	0½	£17,269	17	0½	



# APPENDIX.

		Purchaser.	Instalments due.											
1836.			2d.			3d.			4th.					
		<i>Brought forward</i> ,.....	£11,379	11	10½	£15,601	2	0½	£17,269	17	0½			
Sept.	8.	Forsyth Harding, 100 acres, at 6s.		7	10	0		7	10	0		7	10	0
"	"	Michael M'Ginn, 100 acres, at 4s.		0	0	0		0	0	0		5	0	0
"	10.	John Lennan, 95 acres, at 4s.		4	15	0		4	15	0		4	15	0
"	13.	George H. Hart, 50 acres, at 6s.	(bond.)	3	15	0		3	15	0		3	15	0
"	"	James Simpson, 100 acres, at 3s. 6d.		4	7	6		4	7	6		4	7	6
"	16.	James Cameron, 100 acres, at 4s.	"	0	0	0		5	0	0		5	0	0
"	26.	Hugh A. Caie, 100 acres, at 4s.	"	5	0	0		5	0	0		5	0	0
Oct.	1.	Edward Nelson, 200 acres, at 4s.	"	10	0	0		10	0	0		10	0	0
"	3.	Francis Fulton, 150 acres, at 4s.		0	0	0		7	10	0		7	10	0
"	4.	Joshua Knight, 200 acres, at 6s.	"	15	0	0		15	0	0		15	0	0
"	"	John Flinn, 50 acres, at 6s.	"	3	15	0		3	15	0		3	15	0
"	5.	Christopher Miller, 300 acres, at 3s.		11	5	0		11	5	0		11	5	0
"	6.	George Waters, 100 acres, at 6s.		7	10	0		7	10	0		7	10	0
"	"	Albert M. Graves, 80 acres, at 6s.		6	0	0		6	0	0		6	0	0
"	18.	Daniel Kelly, 25 acres, at 5s.	"	1	11	3		1	11	3		1	11	3
"	"	John Kelly, 30 acres, at 5s.	"	1	17	6		1	17	6		1	17	6
"	24.	Andrew M'Farlane, 100 acres, at 4s.		5	0	0		5	0	0		5	0	0
"	26.	William Mahood, 300 acres, at 3s. 3½d.	"	12	7	6		12	7	6		12	7	6
"	27.	Thomas Kelsoe, 200 acres, at 5s.	"	12	10	0		12	10	0		12	10	0
"	31.	James Rate, 750 acres, at 4s. 6d.	"	42	3	9		42	3	9		42	3	9
Nov.	1.	John M'Kay, 100 acres, at 4s.	"	5	0	0		5	0	0		5	0	0
"	7.	George Clark, 80 acres, at 4s.	"	4	0	0		4	0	0		4	0	0
"	9.	Matthew Carroll, 150 acres, at 3s.	"	5	12	6		5	12	6		5	12	6
<i>Carried forward</i> ,.....			£10,691	15	3½	£15,019	16	10½	£16,680	11	1½			

# APPENDIX.

		Purchaser.				Instalments due.					
1836.			2d.			3d.			4th.		
		<i>Brought forward</i> ,.....	£10,691	15	3½	£15,019	16	10½	£16,680	11	1½
Nov.	9.	Joshua Giberson, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0
"	"	George F. S. Berton, 475 acres, at 6s. 1d.	36	2	4½	36	2	4½	36	2	4½
"	"	David Bulyea, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0
"	10.	William Thompson, 100 acres, at 4s. (bond.)	0	0	0	5	0	0	5	0	0
"	"	James Teedlum, 100 acres, at 4s.	"	0	0	5	0	0	5	0	0
"	24.	William Gordon, 105 acres, at 3s. 6d.	0	0	0	4	11	10½	4	11	10½
"	28.	Michael Burke, 150 acres, at 3s. 6d.	6	11	3	6	11	3	6	11	3
"	"	Margaret Beattie, 150 acres, at 3s.	5	12	6	5	12	6	5	12	6
"	"	Finlay M'Niel, 150 acres, at 4s.	7	10	0	7	10	0	7	10	0
"	"	Norman M'Intosh, 100 acres, at 5s.	5	0	0	5	0	0	5	0	0
"	"	John M'Gillivray, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	George Marsh, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Miratims Atkinson, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0
"	"	Thomas Powell, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Samuel Robertson, 100 acres, at 3s. 6d.	"	0	0	4	7	6	4	7	6
"	"	James Moony, Jun., 300 acres, at 4s.	15	0	0	15	0	0	15	0	0
"	"	Charles Vautour, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Lawrence Kelly, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Baptiste Bouchier, 65 acres, at 4s.	0	0	0	0	0	0	3	5	0
"	"	Placide Richard, 60 acres, at 4s.	0	0	0	0	0	0	3	0	0
"	"	James Burnes, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	James Saunders, 50 acres, at 4s.	2	10	0	2	10	0	2	10	0
"	"	James Morton, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
<i>Carried forward</i> ,.....			£10,830	18	11½	£15,175	19	11½	£16,744	1	1½

## APPENDIX.

		Purchaser.	Instalments due.								
			2d.			3d.			4th.		
1836.		<i>Brought forward</i> ,.....	£10,830	18	11½	£15,175	19	11	£16,744	1	1½
Nov.	28.	Turner Curran, 100 acres, at 4s.		5	0 0		5	0 0		5	0 0
"	"	James Wheelan, 100 acres, at 3s. 6d.		4	7 6		4	7 6		4	7 6
"	"	James Leizer, 200 acres, at 4s.		10	0 0		10	0 0		10	0 0
"	"	John Deegan, 150 acres, at 4s.		7	10 0		7	10 0		7	10 0
"	"	Patrick Welsh, 60 acres, at 4s.		3	0 0		3	0 0		3	0 0
"	"	Michael Kinsilla, 100 acres, at 3s. 6d.		4	7 6		4	7 6		4	7 6
Dec.	2.	George Hamilton, 500 acres, at 4s.		25	0 0		25	0 0		25	0 0
"	5.	Thomas Mitchell, 90 acres, at 6s. (bond.)		6	15 0		6	15 0		6	15 0
"	"	Justus S. Wetmore, 400 acres, at 6s.		30	0 0		30	0 0		30	0 0
"	"	James Millican, 1000 acres, at 6s.	"	75	0 0		75	0 0		75	0 0
"	"	George D. Robinson, 1000 acres, at 6s.	"	75	0 0		75	0 0		75	0 0
"	"	Daniel L. Robinson, 1000 acres, at 6s.	"	75	0 0		75	0 0		75	0 0
"	"	Samuel Campbell, 50 acres, at 6s.	"	3	15 0		3	15 0		3	15 0
"	8.	Thomas Smith, 80 acres, at 6s.		0	0 0		6	0 0		6	0 0
"	9.	Michael M'Carthy, 80 acres, at 6s.	"	6	0 0		6	0 0		6	0 0
"	10.	Robert M'Kinn, 200 acres, at 2s.	"	0	0 0		5	0 0		5	0 0
"	"	George M'Kinn, 200 acres, at 2s.		0	0 0		5	0 0		5	0 0
"	13.	John G. Ruel, 290 acres, at 7s. 1½d.	"	0	0 0		25	15 7½		25	15 7½
"	"	John G. Ruel, 140 acres, at 5s.		8	15 0		8	15 0		8	15 0
"	"	John G. Ruel, 39 acres, at 5s.		2	8 9		2	8 9		2	8 9
"	15.	James Kinn, 100 acres, at 3s. 3½d.	"	4	2 6		4	2 6		4	2 6
"	"	Riley Greaves, 100 acres, at 4s.		0	0 0		5	0 0		5	0 0
"	"	Nathaniel Farley, 145 acres, at 4s. 6d.		8	3 1½		8	3 1½		8	3 1½
		<i>Carried forward</i> ,.....	£11,185	3	4	£15,516	19	11	£17,145	1	2½

## APPENDIX.

		Purchaser.	Instalments due.								
			2d.			3d.			4th.		
1836.		<i>Brought forward</i> ,.....	£11,185	3	4	£15,516	19	11	£17,145	1	2
Dec.	15.	John B. Robicheau, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Robert Pierce, 100 acres, at 5s.	6	5	0	6	5	0	6	5	0
"	"	William E. Cormack, 500 acres, at 3s. 6d.	21	17	6	21	17	6	21	17	6
"	"	Jonas Fitzherbert, 150 acres, at 4s.	7	10	0	7	10	0	7	10	0
"	"	John Matthews, 100 acres, at 3s. 3½d.	4	2	6	4	2	6	4	2	6
"	"	John Hogan, 80 acres, at 3s. 6d.	0	0	0	3	10	0	3	10	0
"	"	William Hunter, 125 acres, at 3s. 6d.	5	9	4½	5	9	4½	5	9	4½
"	"	Finlay Sinclair, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0
"	"	Perry J. N. Dumaresq, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Abraham Cox, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Patrick Maddox, 140 acres, at 4s. (bond.)	0	0	0	7	0	0	7	0	0
"	"	William Starritt, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	John Pye, 49 acres, at 4s.	2	9	0	2	9	0	2	9	0
"	"	John Long, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	James Smith, 100 acres, at 5s.	6	5	0	6	5	0	6	5	0
"	"	James Tunney, 100 acres, at 3s. 3½d.	4	2	6	4	2	6	4	2	6
"	"	Richard Tuff, 50 acres, at 4s.	0	0	0	2	10	0	2	10	0
"	"	Joseph Tippin, 100 acres, at 4s.	0	0	0	5	0	0	5	0	0
"	"	Timothy Donovan, 100 acres, at 4s. "	5	0	0	5	0	0	5	0	0
"	"	Alexander Downing, 120 acres, at 5s.	7	10	0	7	10	0	7	10	0
"	16.	James Dunloy, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	William Corbett, 120 acres, at 3s. 6d.	0	0	0	0	0	0	5	5	0
"	"	Francis Ellis, 50 acres, at 3s. 6d.	2	3	9	2	3	9	2	3	9
<i>Carried forward</i> ,.....			£11,299	2	11½	£15,646	9	6½	£17,279	15	9½

## APPENDIX.

		Purchaser.	2d.			Instalments due.			4th.		
1836.											
		<i>Brought forward</i> ,.....	£11,299	2	11½	£15,646	9	6½	£17,279	15	9½
"	"	William Berry, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
Dec. 17..		Thomas M'Elhany, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	John Coughlan, 90 acres, at 4s.	4	10	0	4	10	0	4	10	0
"	"	George Ellis, 150 acres, at 4s.	7	10	0	7	10	0	7	10	0
"	"	Aaron DeLong, 120 acres, at 5s.	7	10	0	7	10	0	7	10	0
"	"	Frederick Chason, 30 acres, at 4s.	0	0	0	1	10	0	1	10	0
"	"	Duncan Barber, 200 acres, at 5s.	12	10	0	12	10	0	12	10	0
"	"	James Fraser, Jun. 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	19.	Peter Laundrie, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
"	"	Joseph Ring, 110 acres, at 4s. 6d.	6	3	9	6	3	9	6	3	9
"	"	Moses Godine, 100 acres, at 2s.	0	0	0	2	10	0	2	10	0
"	"	Patrick Fitzgerald, 75 acres, at 4s.	3	15	0	3	15	0	3	15	0
"	"	Andrew Duncan, 240 acres, at 5s.	15	0	0	15	0	0	15	0	0
"	"	Jacob Melvin, 106 acres, at 3s.	3	19	6	3	19	6	3	19	6
"	"	William M'Lelland, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0
"	"	John M. Kenzie, 400 acres, at 3s. 6d.	17	10	0	17	10	0	17	10	0
"	20.	Thomas M'Quie, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0
"	"	William Dowd, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Alexander Bell, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6
"	"	Samuel Black, 100 acres, at 4s.	5	0	0	5	0	0	5	0	0
"	"	Archibald M'Lauran, 290 acres, at 5s.	18	2	6	18	2	6	18	2	6
"	"	Mary M'Mullin, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
"	21.	Peter M'Curdy, 118 acres, at 3s.	4	8	6	4	8	6	4	8	6
		<i>Carried forward</i> ,.....	£11,326	17	8½	£15,743	14	3½	£17,415	18	6½

## APPENDIX.

		Purchaser.				Instalments due.						
1836.			2d.			3d.			4th.			
		<i>Brought forward</i> ,.....	£11,326	17	8½	£15,743	14	3½	£17,415	18	6½	
Dec.	21.	James Broder, 140 acres, at 4s.	7	0	0	7	0	0	7	0	0	
"	23.	William J. Bedell, 4,700 acres, at 6s. 1d. ( <i>bond.</i> )	357	7	11	357	7	11	357	7	11	
"	28.	John Hudson, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6	
"	29.	Lazare Muzroll, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0	
"	"	Margaret Keddle, 100 acres, at 3s.	0	0	0	3	15	0	3	15	0	
"	"	William Starrit, 68 acres, at 3s. 6d.	2	19	6	2	19	6	2	19	6	
"	"	Peter Burns, 200 acres, at 4s.	10	0	0	10	0	0	10	0	0	
"	30.	Bridges J. Hook, 500 acres, at 3s. 6d.	21	17	6	21	17	6	21	17	6	
1837.												
Jan.	3.	Patrick Boice, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6	
"	4.	Samuel Smith, 180 acres, at 4s.	9	0	0	9	0	0	9	0	0	
"	"	Joseph Lannen, 150 acres, at 4s.	7	10	0	7	10	0	7	10	0	
"	"	John D. Cantillan, 50 acres, at 5s.	3	2	6	3	2	6	3	2	6	
"	19.	Robert Burke, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0	
"	"	John Boyd, 200 acres, at 3s.	7	10	0	7	10	0	7	10	0	
"	20.	James Campbell, 200 acres, at 5s.	"	12	10	0	12	10	0	12	10	0
"	"	Martin Wilson, 100 acres, at 3s. 3½d.	4	2	6	4	2	6	4	2	6	
"	"	Abraham Parlee, 100 acres, at 6s.	"	7	10	0	7	10	0	7	10	0
"	21.	Thomas Quinn, 60 acres, at 4s.	3	0	0	3	0	0	3	0	0	
"	"	Daniel M'Laughlan, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6	
"	"	James O'Shea, 100 acres, at 3s. 6d.	4	7	6	4	7	6	4	7	6	
"	"	John Wall, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0	
"	"	William Sanburne, 75 acres, at 4s.	3	15	0	3	15	0	3	15	0	
<i>Carried forward</i> ,.....			£11,819	2	7½	£16,239	14	2½	£17,911	81	5½	
w6												

## APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1837.		<i>Brought forward</i> ,.....	£11,819	15	7½	£16,239	14	2½	£17,911	18	5½
Jan.	21.	Francis King, 75 acres, at 4s.		3	15	0		3	15	0	
	"	Bernard Dougherty, 68 acres, at 3s. 6d.		2	19	6		2	19	6	
	"	23. A. P. Henderson, 200 acres, at 6s. (bond.)		15	0	0		15	0	0	
	"	24. Matthew Carruthers, 60 acres, at 5s.		3	15	0		3	15	0	
	"	" Florence Donovan, 100 acres, at 6s,		7	10	0		7	10	0	
	"	" John Willis, 200 acres, at 3s.		7	10	0		7	10	0	
	"	25. Thomas Maher, 100 acres, at 3s.		0	0	0		3	15	0	
	"	" Charles Robicheau, 266 acres, 200 at 3s. } 66 at 4s. }		10	16	0		10	16	0	
	"	" James Pratt, 72 acres, at 5s.		4	10	0		4	10	0	
	"	26. James Shaw, 50 acres, at 4s.		2	10	0		2	10	0	
	"	" Joseph Robinson, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
	"	" Marcelle Ninette, 169 acres, 165 at 3s. } 4 at 6s. }		6	9	9		6	9	9	
	"	" Andrew Rogers, 100 acres, at 4s. 6d.		5	12	6		5	12	6	
	"	" William M'Brien, Jun. 80 acres at 2s. 6d.		2	10	0		2	10	0	
	"	" Thomas Stone, 200 acres, at 1s. 3d.		3	5	0		3	5	0	
	"	" Edward Cardiff, 85 acres, at 3s. 6d.		3	14	4½		3	14	4½	
	"	27. John Wilson, 500 acres, at 4s.		25	0	0		25	0	0	
	"	" Joseph T. Pomroy, 155 acres, at 4s.		7	15	0		7	15	0	
	"	" William Clark, 137 acres, at 3s. 6d.		5	19	10½		5	19	10½	
	"	" Robert Jepson, 60 acres, at 4s.		3	0	0		3	0	0	
	"	" James Vernon, 300 acres, at 5s. 6d.		20	12	6		20	12	6	
	"	" Noble Killgrace, 100 acres, at 3s.		3	15	0		3	15	0	
<i>Carried forward</i> ,.....			£11,969	9	7½	£16,393	16	1½	£18,066	0	5½

## APPENDIX.

		Purchaser.	2d.			Instalments due. 3d.			4th.		
1837.		<i>Brought forward</i> ,.....	£11,969	9	7½	£16,393	16	1½	£18,066	0	5½
Jan.	30.	John Chrystal, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	L'ange Meux, 100 acres, at 3s.		3	15	0		3	15	0	
Feb.	6.	William Crosill, 80 acres, at 3s. 6d.		3	10	0		3	10	0	
"	8.	Charles Coughlan, 60 acres, at 4s.		3	0	0		3	0	0	
"	10.	Jacob Leek, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	"	James Moran, 500 acres, at 5s.		31	5	0		31	5	0	
"	"	Josephus Moore, 200 acres, at 5s.		12	10	0		12	10	0	
"	"	James Hayes, 50 acres, at 4s.		2	10	0		2	10	0	
"	"	John Hill, 4,800 acres, at 6s. 3d.		0	0	0		375	0	0	
"	15.	Kerment Maillet, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	Charles G. Bluemortier, 50 acres, at 3s. 6d.		0	0	0		2	3	9	
"	"	John Parlee, 80 acres, at 2s. 6d. ( <i>bond.</i> )		2	10	0		2	10	0	
"	17.	Jerome Budrot, 98 acres, at 3s.		3	13	6		3	13	6	
"	"	William Eady, Jun. 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	
"	"	William Eady, 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	
"	"	John Eady, 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	
"	"	Edward Good, 60 acres, at 2s. 6d.	"	0	0	0		1	17	6	
"	"	William Good, 60 acres, at 2s. 6d.	"	0	0	0		1	17	6	
"	"	Timothy Collins, 65 acres, at 2s. 6d.	"	2	0	7½		2	0	7½	
"	"	Jeremiah Murphy, 127 acres, at 2s. 6d.	"	3	19	4½		3	19	4½	
"	"	Thomas Mahony, 138 acres, at 2s. 6d.	"	4	6	3		4	6	3	
"	"	Joseph Daily, 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	
"	"	John Cureau, 80 acres, at 2s. 6d.	"	2	10	0		2	10	0	
		<i>Carried forward</i> ,.....	£12,069	4	9½	£16,874	12	1½	£18,546	16	5½



# APPENDIX.

		Purchaser.	2d.			Instalments due.			4th.		
1837.											
		<i>Brought forward</i> ,.....	£12,069	4	9½	£16,874	12	1½	£18,546	16	5½
Jan.	17.	James Smith, 100 acres, at 2s. 6d.		3	2	6		3	2	6	
"	"	John Smith, 100 acres, at 2s. 6d.	"	3	2	6		3	2	6	
"	"	Gavin Kerr, 100 acres, at 4s.		5	0	0		5	0	0	
"	"	Trangiul Blanchard, 50 acres, at 2s. 6d.		1	11	3		1	11	3	
"	20.	William Smith, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	28.	James Campbell, 800 acres, at 5s. 3d.	"	52	10	0		52	10	0	
March	1.	Thomas Lynard, 100 acres, at 3s. 6d.		4	7	6		4	7	6	
"	3.	George Holmes, 100 acres, at 4s.		5	0	0		5	0	0	
"	17.	John M'Grane, 120 acres, at 4s.		6	0	0		6	0	0	
April	3.	Charles Govane, 150 acres, at 3s.		5	12	6		5	12	6	
"	"	Tranquil Louisier, 150 acres, at 2s. 6d.		0	0	0		4	13	9	
"	"	Clement Arceneau, 200 acres, at 2s. 6d.		6	5	0		6	5	0	
"	"	George Irving, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	William Cunningham, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	Samuel Breau, 200 acres, at 3s.		7	10	0		7	10	0	
"	"	Patrick Holland, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	Christopher Phea, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	William Burke, 60 acres, at 3s.		2	5	0		2	5	0	
"	"	Mansfield Jerrioe, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	Eli Richard, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	David Mercure, 50 acres, at 3s.		1	17	6		1	17	6	
"	"	Joseph Muzroll, 100 acres, at 3s.		3	15	0		3	15	0	
"	"	Fridelle Basterache, 165 acres, at 3s. 6d.		7	4	4½		7	4	4½	
		<i>Carried forward</i> ,.....	£12,347	14	5	£17,157	13	7	£18,829	17	9½

# APPENDIX.

		Purchaser.	2d.			Instalments due.			4th.		
1836.											
		<i>Brought forward</i> ,.....	£12,347	14	5	£17,157	13	7	£18,829	17	9½
April	3.	Joseph Griffith, 40 acres, at 6s.	3	0	0	3	0	0	3	0	0
"	"	Patrick Ryan, 200 acres, at 3s. 6d.	8	15	0	8	15	0	8	15	0
May	1.	William Turner, 100 acres, at 6s.	7	10	0	7	10	0	7	10	0
"	"	Hamilton Redpath, 200 acres, at 6s.	15	0	0	15	0	0	15	0	0
"	"	Robert Rankin, 227 acres, at 6s.	17	0	6	17	0	6	17	0	6
"	"	Robert Rankin, 100 acres, at 12s.	15	0	0	15	0	0	15	0	0
"	"	Joseph Hunter, 3 acres, at 100s. (bond.)	3	15	0	3	15	0	3	15	0
"	8.	Bryan Dougherty, 80 acres, at 2s. 6d.	2	10	0	2	10	0	2	10	0
June	15.	James Ward, 200 acres, at 2s. 6d.	0	0	0	0	0	0	6	5	11
July	17.	Patrick Connor, 200 acres, at 2s. 6d.	6	5	0	6	5	0	6	5	0
"	21.	John M'Kay, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	"	Stephen Barton, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
Nov.	7.	Samuel Hunter, Senr. 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	17.	Samuel Greer, 100 acres, at 3s.	3	15	0	3	15	0	3	15	0
"	22.	Patrick Desmond, 50 acres, at 3s.	1	17	6	1	17	6	1	17	6

## OMITTED.

1830.											
Jan.	7.	William Fairweather, 200 acres, at 2s.	5	0	0	5	0	0	5	0	0
"	11.	Edward M'Mrkin, 200 acres, at 2s.	0	0	0	5	0	0	5	0	0
"	23.	William H. Lyon, 100 acres, at 2s. 4½d.	3	0	0	3	0	0	3	0	0

1835.											
July	17.	John B. D'Orion, 50 acres, at 3s. (bond.)	1	17	6	1	17	6	1	17	6
"	"	David Carey, 98 acres, at 3s.	"	0	0	0	0	0	3	13	6
Jan.	22.	Lauchlan M'Lean, 50 acres, at 4s.	"	0	0	0	0	0	2	10	0
Dec.	5.	Robert Brown, 200 acres, at 3s. 6d.	"	0	0	0	8	15	8	15	0

*Carried forward*,.....£12,453 4 11 £17,280 19 1 £18,961 12 8½  
x5

# APPENDIX.

	Purchaser.	2d.	3d.	4th.
1833.	<i>Brought forward</i> ,.....	£12,453 4 11½	£17,276 19 1	£18,961 12 8½
Oct. 16.	Charles Perley, 200 acres, at 3s. 6d.	0 0 0	0 0 0	8 15 0
1835.				
Jan. 17.	James Steen, 100 acres, at 3s. 6d.	0 0 0	0 0 0	4 7 6
Nov. 18.	David Mitchell, 200 acres, at 3s. (bond.)	0 0 0	0 0 0	7 10 0
1836.				
Dec. 30.	Andrew Hamilton, 200 acres, at 2s. 3½d.	0 0 0	5 15 0	5 15 0
		£12,453 4 11½	£17,282 14 1	£18,988 0 2½

## SUMMARY OF ANNEXED RETURN, &c.

Amount of 2d instalments due on dates stated,	£12,453 4 11½
“ 3d “ “ “	17,282 14 1
“ 4th “ “ “	18,988 0 2½

Total amount of instalments,.....£48,723 19 3

Tobique,.....16,666 13 4

£65,390 12 7

exclusive of the Tobique Mill Company's purchase, of which £8,333 6 8 became due 1st October last, the balance, being same amount, becomes due 1st April next.

NOTE.—The Lands leased consists chiefly of the Wild Meadows throughout the Province, which have been usually sold annually by Auction, for which sales the amount due on 31st December, last, was about £150.

THOS. BAILLIE, C. & S. G.

Department for Crown Lands and Forests, Fredericton, N. B.

February 6, 1838.

“Crown Land Office, 23d February, 1838.

“MAY IT PLEASE YOUR EXCELLENCY,

“The many extraordinary reports respecting the vast expense incurred within the last few years in carrying on the duties of the Land Department, cannot fail, unless properly explained, to be prejudicial to me, not only in the opinion of the Colonial Minister, and of Your Excellency, but also in the eyes of the public. It is therefore my sincere desire that what has been done should be fairly understood, so that persons may be enabled to form a just opinion on the matter. The accompanying statement or table (commencing about the time when the office of Surveyor General was re-annexed to that of the Commissioner of Crown Lands) will exhibit to Your Excellency at one view, the amount of expense incurred for the last eight years in surveying and inspecting timber berths, and in surveying lands for settlement.

“Your Excellency will perceive that within the above period the sum of £229,563 has actually been received on account of the sale of lands and timber, and a further sum of £116,501 17s. 6d. is secured, amounting to the sum of £346,064 17s. 5d. while the expence of inspections and surveys for the same period does not average more than £4,050 per annum.

“In 1830 the fees formerly receivable by the Deputies for laying out the timber berths, were commuted for a general increase of 3d. per ton on all timber cut, and 6d. per M. superficial feet of lumber, previous to which period each Deputy was allowed in addition to his survey fees, a stated salary of £50 per annum, which for sixteen Deputies then on the establishment amounted to £800. When this commu-

## APPENDIX.

tation was adopted, I was fully of opinion that the fund which was expected to be thus raised would be sufficient to defray the expences attending surveys and inspections, and that the amount of the salaries £800 would consequently be saved to the Crown, and this opinion proved to be correct as to being sufficient for the mere expence of surveys and inspections of berths which were then in practical operation.

"These surveys however were of no lasting advantage to the Crown Estate. I therefore thought it advisable to obtain surveys of a more permanent character, and for this purpose endeavoured to introduce and establish an uniform system of survey to be continued from year to year, until (after the manner of Upper Canada, though as I hoped at much less comparative expence) the whole Province should finally be intersected by well known and established lines. Acting on this conviction, I proceeded from time to time in the actual survey of about 3,366,000 acres, of which not more than 388,680 acres remain now open for operation, leaving still unsurveyed an immense territory of not less than nine millions of acres, of which the Land Department has no accurate information, and on no part of which, I presume, can any licence issue without at least a partial survey.

"I am still of opinion that 3*d.* per ton on all timber, and 6*d.* per M. superficial feet of lumber would be sufficient to defray the expence of laying out and inspecting timber berths in the manner formerly practiced.

"I have however always witnessed the good effects of vigilant supervision of the berths; in 1830 the timber revenue was about £6,000; in 1836, under a more active system, there was an increase of over £10,000, a fact which, in my opinion, goes far to establish the beneficial results of vigilant supervision.

"The impossibility of giving universal satisfaction by any general system in the management of timber and lands, will hereafter become manifest. During one season the system pursued by me was bitterly complained of; yet the next year, without any change of circumstances, I have seen the same system strenuously recommended by its former opposers.

"The arduous nature of my official duties has thus been placed beyond mere assertion, and I have now only to add that I have ever endeavoured to the best of my ability to perform those duties in such a manner as would produce the largest revenue to the King, with the least possible annoyance or inconvenience to his loyal subjects. With what success, the state of that Revenue, and of the timber trade will best shew. But whatever system may be in future adopted, I shall cheerfully devote my best abilities to give it effect.

"I have the honor to be Your Excellency's

"Most obedient and humble servant,

"THOMAS BAILLIE,

"Comr. and Sur. Genl. Crown Lands."

To His Excellency Major General, Sir JOHN HARVEY, K. C. H. & C. B. &c. &c. &c.

### STATEMENT

*Shewing the total amounts received, amounts due and coming due, on sales of Land and Timber, the extent of Land surveyed, amount paid for surveys of Land and Timber inspections, the extent of Land remaining surveyed for settlement &c. &c. from 1st January, 1830, to 31st December, 1837.*

	Acres.	
Extent of Land sold,.....	1,339,000	
Do. do. surveyed,.....	3,666,000	
Do. remaining surveyed for settlement, &c....	388,680	
Amount received on Land sold,.....	£134,290	0 0
“ “ Timber,.....	95,273	0 0
	£229,563	0 0
Amount coming due on Land,.....	£107,765	12 7
“ due on Timber,.....	8,736	4 10
	£116,501	17 5
	£346,064	17 5

Amount of expences incurred for Surveys and Timber inspection, £32,338 0 0.

## APPENDIX.

Of the 3,666,000 acres of Land surveyed, during the period, 1,339,000 acres have been sold; 1,538,320 acres are in five year Timber licences and 400,000 acres under annual licences, leaving 388,680 acres of surveyed Land open for settlement.

Of the £32,338 expended for surveys and inspections; the fees of threepence per ton on Timber, and sixpence per 1000 feet on Logs to meet the expence of Timber surveys and inspections, and received in the Crown Land Office during three years of the period, and the same fees credited the Casual Revenue during the residue of that period amounted to £15,526; and the mileage on five year Licences to assist in paying the survey amounted to £1,680, leaving £15,132 as the expence incurred for the survey of Land, amounting to the charge of one penny per acre.

THOS. BAILLIE, C. & S. G. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.*

*February 23, 1838.*

### SCHEDULE

*Of all Lands granted to, reserved for, or holden by the Ordnance Department in this Province, of which any record appears in the Crown Land Office.*

#### SITUATION AND DESCRIPTION.

##### TOWN PLAT OF FREDERICTON, COUNTY OF YORK.

2 7-10 acres, Barrack Lot A. bounded southwesterly by Queen street, southeasterly by Regent street, northeasterly by the reserve for a Town Common, and northwesterly by Carleton street, occupied as Wood yard, Officer's Barrack, Barrack yard and parade ground.

2 7-10 acres, Barrack Lot B. bounded southwesterly by Queen street, southeasterly by Carleton street, northeasterly by the reserve for a Town, Common and northwesterly by York street and Phoenix Square, occupied as Soldiers Barracks, Hospital, Main Guard, &c..

1½ acre, Artillery Park, bounded southeasterly by Regent street, southwesterly by George street, northwesterly by Requiem street and northeasterly by granted land, occupied as Artillery Barracks and Park, Powder Magazine and Armoury.

Reserved for Military uses on the plan attached to the grant of the Town of Fredericton.  
Date of title or first occupation, 7th March, 1788.

2 Roods, old Hospital Lot, bounded southwesterly by Queen street, northwesterly by Westmorland street, northeasterly by Campbell street, and southeasterly by granted land, occupied as a Cabbage Garden last Season.

2 Roods, a parallelogram adjoining northeast of reserve A. with 300 feet front on Campbell street and 70 front on Carleton street, an old unoccupied Guard House stands upon it.

400 square feet, a trapezium projecting from the northeast boundary of Barrack Lot B.

1 acre and 2 roods, Town Lots C. D. 43, 44, 45 and 46 in block 3, extending across from Queen street to King street, with 198 feet front on each of those streets, occupied as a Kitchen Garden last Season.

Held by possession.  
No title, first occupation between the year 1788 and 1820.

##### CHARLOTTE COUNTY.

2½ acres, a Block House Lot, bounded northeasterly, by the Town Plat of Saint Andrews, northerly by the road to Joes' Point, westerly by a brook and southerly by Saint Andrews harbour.

1 acre, a Block House Lot, surrounding Joes' Point block house.

Reserved on the plans of adjacent grants.  
Date of title or first occupation, 1823.

7 acres, Barrack Lot in rear of the Town of Saint Andrews, conveyed to Crown by the Church for an equivalent.

Deed from the Church authorities.  
No record of the date.

5 acres around the Block House at the upper Magaguadavic bridge on the old road from Fredericton to Saint Andrews.

Possession confirmed by a recent order from Sir J. Harvey.  
Date of title or first occupation, 14th July, 1837.

APPENDIX.

COUNTY OF CARLETON.

660 acres, Lots 74, 75 and 76 in the Wakefield grant, on the west side of the River Saint John, comprising both sides of the Presq' Isle River at its mouth, an old Military station.

Reserved for Military uses in the plan attached to the Wakefield grant.  
Date of title or first occupation, 20th June, 1809.

1,100 acres, a Lot at the Great Falls of the River Saint John, extending from the southerly to the northerly extremity of the Falls Portage, and back to the Commissioner's line, (200 Chains,) and in addition instructions were received about three years since not to sell any Lands within three miles of the Falls without special reference to the Commander in Chief; this was formerly a Military station, part of it is at present occupied by Henry John Caldwell, under a 21 years Licence of occupation, with a reserved right of re-entry if wanted for Military, Public or Provincial uses; part is occupied by John Ryan under a Licence to occupy during pleasure, and the residue being the greater part is unoccupied.

Held by possession since the year 1800, the reserve recorded on the plan attached to Alexander Stewart's grant.  
Recorded 19th January, 1824.

COUNTY OF SAINT JOHN.

2½ acres, a Lot forming the southerly point of the Peninsula of Saint John, bounded northerly by the City Lots, and westerly, southerly and easterly by the waters of the Harbour and Bay, occupied as Barracks, Hospital, Battery, Parade Ground, Hospital &c.

Reserved for Fortifications on the plan of Parr Town, under the signature of "T. Parr."  
Date of title or first occupation, 6th August, 1784.

A Lot around Fort Howe, in Portland, area unknown, occupied as a Fort, Magazine, Stores, Block House, &c.

Purchased from the former proprietors.

The site of the Signal House and Staff at Carleton in the Parish of Lancaster, area unknown.

Placed in the possession of the Town Major.  
Date of title or first occupation, 2d April, 1827.

Reed's Battery at the south end of Prince William street in the City of Saint John, being the site of the Battery.

No record of title or of first occupation.

COUNTY OF WESTMORLAND.

60 acres, the site of the old Fort Cumberland, northwest of the road from Cumberland Creek to Bay Verte, with a tract of Land surrounding it, and bounded southerly by the road to Bay Verte, northwesterly by the road to number one and easterly by granted land.

Possession prior to 1784, boundaries retraced by E. Cutler, in 1814.

THOS. BAILLIE. C. C. L.

Crown Land Office, Fredericton, 20th February, 1838.

RETURN

To an Address from the House of Assembly to His Excellency the Lieutenant Governor, dated February the ninth, 1838, shewing the quantities of Timber and Lumber cut in excess on the different Licences, as reported by the Deputies of the several Districts; the amount received for such excess, by whom and when paid, for the years 1836 and 1837, viz. 1836.

DALHOUSIE. DEPUTY JOS. HUNTER,

	Timber. Tons.	Lumber. M.		When paid.	
Arthur Ritchie,	2200		£0 0 0	Not settled.	
Do. do.		40	7 0 0	May 10,	1836.
P. & D. Stewart,	1180		46 0 0	June 22,	"
H. & J. Montgomery,	829	}	19 5 0	July 6,	"
			82 18 0	December 2,	"
P. & J. Sutherland,	1625		162 10 0	September 8,	"
Carried forward,.....			£317 13 0		
			y6		

# APPENDIX.

	Timber. Tons.	Lumber. M.		When paid.	
<i>Brought forward</i> ,.....			£317 13 0		
W. & J. Hamilton,	50		4 0 0	June 24,	1836.
Wm. Jardine,	550		55 0 0	January 7,	1837.
H. Ramsay,	60		6 0 0	June 22,	1836.
<b>MIRAMICHI, C. J. PETERS, JUN.</b>					
A. Rankin & Co.	4364		436 8 0	February 11,	1837.
Cunard & others,	5647	703	687 14 6	February 13,	"
W. Lock,	1082		108 4 0	" "	"
J. N. Smith & others,	340		34 0 0	" "	"
Cuppage & Co.	900		89 0 0	Aug. 3, Sep. 9,	1836.
<b>RICHIBUCTO, W. J. LAYTON,</b>					
John Jardine,	600	100	77 10 0	December 6,	1837.
Do. do.	372		0 0 0	Not settled.	
Wm. M'Leod,	865		0 0 0	Ditto.	
M'Kay & Co.	559	24	0 0 0	Ditto.	
J. Cunard & Co.	2544	34	0 0 0	Ditto.	
C. Seamars,	200		0 0 0	Ditto.	
J. M'Millan,	50		5 0 0	November 23,	"
M. Atkinson,	200		20 0 0	" "	"
J. M'Millan,	250	100	42 10 0	" "	"
W. M'Millan,	150		15 0 0	" "	"
John Gibbons,	60		6 0 0	" "	"
G. Sutherland,	100		10 0 0	" "	"
John Kinsilla,	200		20 0 0	" "	"
<b>SAINT JOHN, L. B. RAINSFORD,</b>					
William Scoullar,	520		52 0 0	August 2,	1836.
Humphries,	31		4 13 0	" 24,	"
D. Keith,	48		7 4 0	" "	"
John Rider,	60		9 0 0	" "	"
John Aldwood,	21		3 3 0	" "	"
William Phillips,	20		3 0 0	" "	"
Samuel Price,	11		1 13 0	" "	"
Michael Clark,	14		2 2 0	" "	"
Wm. Cay,	56		8 0 0	" "	"
C. M'Donald,	72		10 16 0	" "	"
H. Keith,	34		5 2 0	" "	"
S. Keith,	18		2 14 0	" "	"
John Price,	50		7 10 0	" "	"
E. Price,	78		11 14 0	" "	"
M. Thorn,	88		17 12 0	" "	"
John F. Price,		24	8 8 0	" "	"
P. M'Intyre,	100		20 0 0	" "	"
Elkin and Lackey,	160		32 0 0	" "	"
James Langan,	100		15 0 0	" "	"
James Hamilton,	50		10 0 0	" "	"
C. Miller,	22		4 8 0	" "	"
W. Cameron,	33		6 12 0	" "	"
John M'Lean,	34		3 8 0	" "	"
Dougherty,	90		18 0 0	" "	"
Wm. M'Cringle,	50		10 0 0	" "	"
Charles Emery,	260		26 0 0	" "	"
<b>J. A. MACLAUHLAN,</b>					
James Tibbetts,	600		60 0 0	July 1,	"
James Balloch,	250		25 0 0	April 30,	1837.
J. F. Taylor,	129		12 1 0	June 22, July 6,	1836.
<i>Carried forward</i> ,.....			£2,331 7 6		

# APPENDIX.

	Timber. Tons.	Lumber. M.				When paid.	
<i>Brought forward</i> ,.....			£2,388	13	6		
A. C. Hammond,	1215		121	10	0	August 5,	1836.
A. Dickenson,	100		10	0	0	" 26,	"
James Grew,	146		29	4	0	September 19,	"
H. Sisson,	500		50	0	0	April 30,	1837.
J. L. Marsh,	20		2	0	0	July 12,	1836.
J. A. Phillips,	17		1	14	0	June 24,	"
A. S. Carman & Connell,	1300		0	0	0	Not settled.	
Elihu Shea,	500		0	0	0	Ditto.	
A. S. Carman,	600		0	0	0	Ditto.	
Kerr & Bedell,	119		0	0	0	Ditto.	
S. Dickenson,	300		0	0	0	Ditto.	
<b>SAINT ANDREWS, JACOB ALLAN,</b>							
J. Allanshaw,	680		119	4	0	February 28,	1837.
John Marks,	80		0	0	0	Not settled.	
James Frink,	120		0	0	0	Ditto.	
J. M'Allister,	299		52	8	3	Jan. 17, Feb. 25,	"
Amos Crocket,	100		0	0	0	Not settled.	
<b>MAGAGUADAVIC, W. MAHOOD,</b>							
A. Brockway,	400	40	0	0	0	Ditto.	
J. D. Cameron,	74		14	16	0	July 15,	1836.
Wm. Moore,	190		38	0	0	August 18,	"
Thomas Linton,		60	0	0	0	Not settled.	
R. Brockway,	40		0	0	0	Ditto.	
Thomas Stephens,		40	0	0	0	Ditto.	
James Vernon,		1000	175	0	0	July 18,	1836.
Thomas Davis,	50	50	0	0	0	Not settled.	
S. L. Blake,	21		0	0	0	Ditto.	
Allanshaw & Co.	780	386	145	11	0	February 28,	1837.
P. Goss,	250	90	40	15	0	December 31,	1836.
James Fraser,		700	0	0	0	Not settled.	
James Stevenson,	380		0	0	0	Ditto.	
A. G. Foster,		480	0	0	0	Ditto.	
A Gilmour,		100	0	0	0	Ditto.	
<b>SAINT JOHN, H. B. RAINSFORD,</b>							
Amos Plomer,	376		37	12	0		
S. P. Estabrook,	600		60	0	0	July 25,	1836.
<b>JOHN DAVIDSON,</b>							
Asa Dow,	231		23	2	0	August 2,	"
<b>H. M. GARDEN,</b>							
J. M. Connell,		180	31	10	0	November 26,	"
1837.							
<b>DALHOUSIE, JOS. HUNTER,</b>							
P. & D. Stewart,	530		0	0	0	Not settled.	
P. & J. Sutherland,			0	0	0		
H. & J. Montgomery,	825		0	0	0	Ditto.	
Ditto,	450		45	0	0	November 8,	1837.
Wm. Jardine,	500		0	0	0	Not settled.	
H. & A. Ramsay,	67		0	0	0	Ditto.	
<b>BATHURST, W. J. BERTON,</b>							
A. Rankin & Co.	9161		0	0	0	Ditto.	
Napier,	50		0	0	0	Ditto.	
<i>Carried forward</i> ,.....			£3,328	13	9		



# APPENDIX.

	Timber. Tons.	Lumber M.		When paid.
<i>Brought forward</i> ,.....			£3,785 10 9	
<b>SAINT JOHN, ALLAN &amp; AKERLEY,</b>				
W. J. Bedell,	76		7 12 0	February 1, 1838.
H. Briggs,	66		0 0 0	Not settled.
A. S. Carman,	715		0 0 0	Ditto.
J. M. Connell,	3379		0 0 0	Ditto.
W. Connell,	50		5 0 0	February 16, 1838.
P. Coakely,	238		0 0 0	Not settled.
George Elkin,	80		16 0 0	February 16, 1838.
B. P. Griffiths,	362		0 0 0	Not settled.
Ebenezer Horton,	145		0 0 0	Ditto.
A. Hamilton,	300		30 0 0	May, 1837.
Ketchum & Grew,	515		0 0 0	Not settled.
Lunt, White & M'Lean,	233		0 0 0	Ditto.
Murray & Ryan,	360		36 0 0	February 6, 1838.
John M'Donald,	30		3 0 0	February 16, "
James Taylor,	735		0 0 0	Not settled.
Benjamin Tibbetts,	1885		0 0 0	Ditto.
J. C. Allan,	928		92 16 0	February 16, 1838.
D. Barber,	2029		0 0 0	Not settled.
J. D. Berton,	216		0 0 0	Ditto.
Henry Jones,	114		0 0 0	Ditto.
Robert Kerr,	977		0 0 0	Ditto.
George Morrow,	206		26 10 0	December 12, 1837.
D. Phillips,	234		0 0 0	Not settled.
E. Shea,	140		14 0 0	February 16, 1838.
D. Tapley,	120		0 0 0	Not settled.
A. Plumber,	560		0 0 0	Ditto.
J. F. Taylor,	68		6 16 0	November 14, 1837.
A. C. Hammond,	860		0 0 0	Not settled.
Hutchinson,	300		0 0 0	Ditto.
R. & G. Hutchinson,	250		22 10 0	May, 1837.
Hon. W. Black,	99	486	95 0 0	January 31, 1838.
John Lunn,	100		10 0 0	February 16, "
S. White,	123½		0 0 0	Not settled.
John Rider,	72½		14 10 0	February 16, "
Ben. Good,	370		37 0 0	" " "
W. M'Garrigal,	200		20 0 0	" " "
S. P. Estabrooks,	400		40 0 0	" " "
James Ryan,		60	21 0 0	January 2, "
John King,		43	15 1 0	" " "
G. Stockton,		46	16 2 0	" " "
Graves & others,		39	13 13 0	" " "
Montgomery & others,	43		6 9 0	" " "
<b>MAGAGUADAVIC, W. MAHOOD,</b>				
S. L. Blake,	30	190	0 0 0	{ Settled in acct. with
A. Menzies,		30	0 0 0	{ J. Allanshaw & Co.
Moses Perley,		400	0 0 0	Not settled.
Peter Goss,		300	0 0 0	Ditto.
Philo Seely,		250	0 0 0	Ditto.
A. Gilmour,		10	0 0 0	Ditto.
Jos. Wilson,		50	0 0 0	Ditto.
Alex. Arnold,		20	0 0 0	Ditto.
St. George Mill Company,		30	5 5 0	October 6, 1837.
<i>Carried forward</i> ,.....			£3,882 17 9	

# APPENDIX.

	Timber. Tons.	Lumber. M.				When paid.
<i>Brought forward,</i> .....			£3,882	17	9	
<b>SAINT ANDREWS. JACOB ALLAN.</b>						
Amos Crocket,	80		0	0	0	Not settled.
G. M. Porter,	120		0	0	0	Ditto.
J. H. M'Allister,	300		0	0	0	Ditto.
John Campbell,	133		0	0	0	Ditto.
John M'Allister,	350		0	0	0	Ditto.
Daniel Hill,	290		0	0	0	Ditto.
William Todd,	200		0	0	0	Ditto.
James Frink,	100		0	0	0	Ditto.
J. M'Allister, Jun.	20		0	0	0	Ditto.
S. Hitchings,	224		0	0	0	Ditto.
N. Lindsay,	20		0	0	0	Ditto.
John Marks,	121		0	0	0	Ditto.
Allanshaw & Co.	385		67	7	6	February 2, 1838.
<b>SAINT JOHN. H. B. RAINSFORD,</b>						
N. & J. Blake,	123		0	0	0	Not settled.
T. B. Smith,	230		0	0	0	Ditto.
John M'Laggan,	260		26	5	0	February 1, 1838.
D. T. Curry,	50		0	0	0	Not settled.
W. Scoullar,	100		0	0	0	Ditto.
G. Benison,	200		0	0	0	Ditto.
M. Coburn,	200		0	0	0	Ditto.
J. G. Woodward.	144		0	0	0	Ditto.
I. Burpe,	150		0	0	0	Ditto.
<b>RICHBUCTO. W. J. LAYTON.</b>						
John Jardine,	7741	3024	0	0	0	Ditto.
J. Cunard & Co.	121	158	0	0	0	Ditto.
W. M'Leod,	478		0	0	0	Ditto.
James Cutler,	251		0	0	0	Ditto.
W. Stewart,		130	0	0	0	Ditto.
<b>MIRAMICHI. C. J. PETFRS, JUN.</b>						
A. Rankin & Co.	3837		0	0	0	Ditto.
J. Cunard & Co.	8732		0	0	0	Ditto.
Duncan & Lock,	461		0	0	0	Ditto.
Cuppage & White,	599		0	0	0	Ditto.
D. Stewart,	222		0	0	0	Ditto.
M. Samuel,	508		0	0	0	Ditto.

£3,976 10 3

THOS. BAILLIE, C. C. L.

*Department for Crown Lands and Forests, Fredericton, N. B.*  
*March 2, 1838.*

# APPENDIX.

## ABSTRACT OF DUTIES ON TIMBER AND LUMBER, Received in 1835, 1836, 1837.

Month.	One Year Licences.	Five Year Licences exclu- sive of Mileage.	Excess and Unlicensed.	Total.
January 1835.	£577 7 0	0 0 0	£34 15 0	
February "	490 12 6			
March "	593 1 6			
April "	1,615 19 8			
May "	92 5 0	0 0 0	77 16 1	
June "	1,303 1 6			
July "	3,713 1 6			
August "	1,244 15 0			
September "	718 10 0	£116 17 6	11 11 0	
October "	732 17 6			
November "	583 15 9			
December "	390 13 0			
	£12,055 19 11	£204 10 0	£253 17 10	£12,514 7 9
January 1836.	£479 5 0	£210 6 3	£38 5 0	
February "	416 10 0			
March "	530 7 6			
April "	886 9 0			
May "	216 5 0	4 7 6	2 5 0	
June "	1,312 6 0½	64 5 0	632 7 0	
July "	2,972 13 6	330 1 3	30 10 0	
August "	1,217 17 3½	38 0 0	23 2 0	
September "	1,541 6 3½	236 5 0	0 0 0	
October, "	544 13 6	299 11 9	8 0 0	
November "	605 10 9½	87 12 6	34 10 0	
December "	631 18 7½	1,001 0 7½	55 19 6	
	£11,355 2 6½	£2,271 9 10½	£824 18 6	£14,451 10 11
				£26,965 18 8
January 1837.	£216 13 7½	£592 3 9	£66 9 3	
February "	298 5 6	252 3 9	1,611 16 6	
March "	240 8 9	112 0 0	213 7 6	
April "	338 3 4½	9 0 0	1,080 5 5	
May "	14 1 3	50 7 6	261 6 5	
June "	449 8 4	84 5 0	19 10 0	
July "	553 18 11½	5 5 0	153 9 6	
August "	1,650 15 7½	941 5 3	554 8 0	
September "				
October "				
November "				
December "				
	£3,761 15 5	£2,046 10 3	£3,960 12 7	£9,768 18 3
				£36,734 16 11
Average of 3 years,				£12,244 12 3½

# APPENDIX.

*Memorandum of the quantity of Timber and Lumber cut in the years 1835, 1836, 1837, taken from the Dockets of the Commissioner of Crown Lands.*

	Tons Timber.	Lumber.
1835,	139,867, .	17,190,000,
1836,	132,487,	20,908,000,
1837,	77,446,	12,385,000,
	<hr/> 349,800,	<hr/> 50,483,000.
Average of 3 years,	116,600 Tons Timber.	16,827,666 Feet Lumber.

Duties paid at the Crown Land Office for the above 3 Years, as per statement, £36,734 0 0

Average of 3 Years, £12,244 12 3

*Account of Timber and Lumber exported from the Province of New Brunswick, during the years 1835, 1836, 1837.*

Place of Export.	Pine and Birch Timber.		3 Years Average.
Port of Saint John,	101,322	92,573	90,916
Miramichi,	74,579	49,449	51,570
Dalhousie,	34,974	32,945	39,357
Richibucto,	17,313	25,267	16,973
Dorchester,	400	2,316	27
Bathurst,	49,607	16,549	20,036
Carraquet,	—	—	3,216
Saint Andrews,	12,084	13,394	2,240
Magaguadavic,	1,280	985	406
Saint Stephen,	—	—	—
Welch Pool,	—	—	—
	<hr/> 291,559	<hr/> 233,478	<hr/> 224,741
			233,478
			291,559
			<hr/>
		†	749,778
			<hr/>
			Tons.
			<u>249,926</u>

Place of Export.	Masts and Spars.		Pieces.
Saint John,	Pieces. 1,737	Pieces. 1,736	Pieces. 1,854
Miramichi,	1,267	824	1,383
Dalhousie,	174	192	261
Richibucto,	869	455	316
Dorchester,	7	6	152
Bathurst,	324	324	264
Saint Andrews,	1,441	2,175	2,212
Magaguadavic,	6	99	143
Saint Stephen,	—	—	60
Welch Pool,	1	18	59
	<hr/> 5,826	<hr/> 5,829	<hr/> 6,704
			5,829
			5,826
			<hr/>
		†	18,359
			<hr/>
			Pieces.
			<u>6,119</u>

# APPENDIX.

	Superficial feet.	Deals &c. Superficial feet.	Superficial feet.
Saint John,	32,400,000	33,421,000	36,286,000
Miramichi,	9,906,000	7,739,000	12,092,000
Dalhousie,	281,500	322,000	481,000
Richibucto,	5,294,000	4,742,000	7,161,000
Dorchester,	830,000	201,250	602,000
Bathurst,	393,000	162,250	164,000
Carraquet,	—	—	32,000
Saint Andrews,	8,369,976	13,421,031	17,894,597
Magaguadavic,	1,749,606	1,236,668	1,257,763
Saint Stephen,	781,000	2,856,944	11,564,958
Welch Pool,	2,282,837	2,929,528	2,896,361
	62,287,919	67,031,671	90,431,679
			67,031,671
			62,287,919
		†	219,751,269
			<u>Suprfl. feet.</u> <u>73,250,423</u>

Amount of Duty.	
249,926 Tons of Timber @ 2s.	£24,992
73,250,423 Feet Deals, Plank and Boards, @ 3s. 6d.	12,775

Amount of average value for 3 Years, £37,767

## Comparative Statement.

Average amount of Duties received on Timber and Lumber at the Crown Land Office for three years, 1835, 1836, 1837,	£12,244	0	0
Average amount of Duty on the quantity exported, as per statement,	37,767	0	0
Difference per annum, exclusive of duty on 6,119 pieces Masts and Spars,	£25,523	0	0

## QUEBEC AND SAINT ANDREWS RAIL ROAD ASSOCIATION.

RAIL ROAD ROOMS, SAINT ANDREWS,  
30th December, 1837.

MAY IT PLEASE YOUR EXCELLENCY,

**T**HE acting Committee of the Saint Andrews and Quebec Rail Road Association, beg leave to submit the accompanying account of expenses incurred by the several Explorations and Surveys of the country between Saint Andrews and Quebec, for the purpose of ascertaining the practicability of a line for a Railway between those places—the greater part of which was conducted by Captain Yule, of the Royal Engineers, at the instance of Sir Archibald Campbell, then Governor of the Province, and consequent to a grant of £10,000 sterling from the Casual and Territorial Revenues of New Brunswick, directed by His late Majesty's Government—and to report on the general proceedings.

Subsequent to a previous and partial Exploration by Messrs. Smith and Hatheway, Captain Yule in July 1836 undertook the management and direction of the Survey and Explorations, and personally conducted the same. In order to effect the object in view as speedily as possible, he employed a number of Surveyors with strong parties of men attached to each, as he deemed it important to have the practicability of the route ascertained

## APPENDIX.

ascertained before the intensity of the approaching winter should interrupt operations. This mode of proceeding no doubt tended to increase the amount of cost, but the Committee feel assured that Captain Yule was influenced to adopt it from a desire to subserve the interests of the undertaking to the best of his judgment. His report with that of Messrs. Smith and Hatheway are herewith submitted, as is also that of Mr. George Wightman, who conducted a Survey with a line of levels from Tide Water to the Meduxnick River near Woodstock, in the course of the season past, in order to connect the Surveys of the previous year, and to ascertain the accuracy of Captain Yule's observations in his reconnoissance of this part of the line, which it is satisfactory to find are fully sustained.

Although it is to be regretted that the expenditure has been so great, it should be kept in mind that the difficulties attendant on the exploration and survey of 300 miles of wilderness country for the first time, whilst the necessary points of depots were unknown, must be of a character not easily surmounted, especially under the circumstances connected with the preliminary operations, when all parties were unacquainted with the exact nature of the practical service required. It is however to be hoped that the future results of the expenditure will ultimately facilitate internal improvement, and finally secure the great object for which it was undertaken, and thereby promote the interests and enlarge the destiny of New Brunswick to an extent which no other measure can be likely to rival.

All which is respectfully submitted.

H. HATCH,  
JOHN WILSON,  
JAMES RAIT,  
S. FRYE,

} *Acting  
Committee.*

To His Excellency Major General Sir John Harvey, K. C. H. & C. B.  
Lieutenant Governor &c. &c. &c. Fredericton.

### MESSRS. SMITH AND HATHEWAY'S REPORT OF THE EXPLORED RAIL ROUTE. FINISHED 30th JANUARY, 1836.

*Saint Andrews, 30th January, 1836.*

GENTLEMEN—In accordance with the arrangement entered into with you, and in obedience to the instructions you addressed to us, to explore a route and ascertain the practicability of making a Rail Road from this place to the Highlands (so called), on the borders of Canada, we proceeded on that service on the 28th October last, and after encountering many unexpected obstacles, and consequently much detention, we reached these Highlands on the 29th of December. The details of the route and the accompanying explanatory Maps, we beg herewith to submit for your information.

Although we were directed to commence operations near the west branch of the Digdeguash, we deemed it expedient first to repair to Foster's Hill in Saint David's, from which we were enabled to make such preliminary observations as served to facilitate our exploration among the hills at the source of Cranberry Brook. Here we assumed as a range for reference, a line N. 10 E. by the magnet, which bears to the west of Prospect Mountain and to the east of the Palfrey Ridges, agreeing with the course pointed out in our instructions. We then proceeded up the Digdeguash to White Beaver Brook, and entered on the details of the route.

In order to render our numerous descriptions distinct and readily comprehended, we have separated the whole line into the following divisions, viz. :—

- 1st. From White Beaver Brook to Forks of Eel River.
- 2d. From Forks of Eel River to angle at Mars Hill.
- 3d. From angle at Mars Hill to Restook River.
- 4th. From Restook River to Allagash River.
- 5th. From Allagash River to River Saint John.
- 6th. From River Saint John to Highlands.

By reference to the Map, the LOCATION OF THE LINE which we recommend for adoption will be found tinted bright red.

The following is a record of that location, given without adverting to other particulars relating to it, which will be subsequently enumerated.

## APPENDIX.

1st Division. The point of commencement is in the north line of the Honorable James Allanshaw's, Digdeguash Reserve, at about two miles west from its northeastern angle; thence northerly, across White Beaver Brook and Stag Brook, to the eastward of the fourth south Titcomb Lake; onward to Cranberry Brook, crossing it a few rods below the Falls; keeping the east side of Cranberry Brook, at A, is a pass west of the South Shugamock Lake, and east of the north end of the Palfrey mountains; at B cross the north Shugamock Lake Stream; at C enter No. 9 of the Howard Settlement, and proceed through Nos. 8 and 7 to D; thence the line turns northwesterly to E; and thence, leaving the Oxbow and Great Falls of Eel River on the right, reaches the Forks at F.

2d Division. Cross Eel River between 50 and 60 rods below the Forks, and keeping to the west of Oak Hill, proceed northwesterly to the Houlton Road at G, about 2½ miles from the American boundary line; thence at H cross the south branch of the Meduxnick, about a mile above the Forks, and at I cross the north branch at a boom, about 2½ miles above the Forks; thence on a course nearly parallel to the boundary line, onward to the Presqu' Isle River at K, which is half a mile west of Wheeler's, and 40 rods west of the north and south dividing line between the fifth and sixth tier of lots; thence east of John Cronk's; and at L pass between the houses of William and Henry Cronk; thence west of Ira Miller's, inclining nearly north by the Magnet, to the boundary line, keeping Mars Hill about two miles to the west.

3d Division. Here the route turns from M round the north end of Mars Hill; and thence N. 70 W. to N; thence to the Restook at O, crossing that River immediately below the mouth of the Big Machias Stream.

4th Division. Proceed on a general course N. 75 W. and cross the Machias below the Meadows and Forks at P, passing about a mile to the southward of two hills, called the Twins; thence north of Mount Saul, and through the Valley of Saint Andrews and Caroline's Lakes, along a level tract, to Q; thence up the north side of a Beaver Brook to a rise of land at R; thence down a Valley to the Susquacook at S, and cross that Stream; thence northerly down the west side to opposite the Forks at T, and thence westerly to the northeast of a high hard wood Ridge, crossing the Allagash at V, about a mile below the first Lake.

5th Division. From hence the course is nearly a straight line N. 70 W. to the River Saint John, which it strikes about 15 miles below the Forks and about 4 miles above the Islands.

6th Division. Across Saint John River, following nearly the same course as in the 4th division; passing Grassy Lake Stream, and onward to the south end of Musk Lake at W; thence inclining northerly to the north of Carriboo Lake at X; thence through a defile and dry barren to the south of Spruce Mountain at Y.

### DESCRIPTION.

1st Division. From observations made at Foster's Hill, and supposing the line of the route from Saint Andrews may cross the Digdeguash near Walton's Meadows, we assumed a level commencing at Foster's Lake, and extending to the end of the first Division.

It may be necessary to premise that our conclusions of relative heights and distances were drawn from close and constant examination of the ground we travelled over, and the adjacent tracts; and we think the results we have set down are in close approximation to the truth. Taking our elevation in Saint Davids at 100 feet over Foster's Lake, the River at Connick's Dam would be 50 feet under the assumed level, which would run through Walton's Meadows. The source of the Digdeguash at our first station near White Beaver Brook, we consider as 60 feet over the level, and the fourth Titcomb Lake the same. The Falls at Cranberry Brook are 20 feet higher, and the north end of the pass at the Shogamock is of a similar elevation. The barren at Howard Settlement is 10 feet lower, consequently 70 feet over the level. From thence to the Forks of Eel River there is a gradual descent, the route there being only 10 feet over the level, and to the west of Oak Mountain it comes to nothing. From the starting point to Benson's Camp the land is low and broken, with soft wood growth, interspersed with barrens, presenting no serious obstacle to the formation of a Road. Cranberry Brook would require a Bridge from 30 to 40 feet long, the banks being well adapted to its construction. Hence to the eastward of Cranberry Lake the valley extends with a gentle  
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## APPENDIX.

rise through morasses and under growth, having the magnificent chain of the Palfrey Mountains on the west, and level plains and swells on the east, to the hills on the westward of the Magaguadavic Lakes. We spent much time, and experienced some difficulty in ascertaining a pass among the highlands separating the Palfrey, Cranberry and Shogamock Lakes. The rise at A is so inconsiderable as to present no difficulty; the growth is good hard wood down to a small barren, at north Shogamock Lake. A small Bridge would serve over this Lake stream. On the north is very superior land, the growth being rock maple, birch, large basswood, elm and ash. The banks of Eel River are exceedingly steep and wide at the top, and the tract north of the Howard Settlement very mountainous; but the course we took to the Forks is crossed by undulating swells containing a mixed growth, decreasing in quality at the Great Bend. At this place there is much flat land and low intervale on both sides of Eel River, the Stream being from 6 to 10 rods wide. The bottom is a firm gravel, with eight feet deep of still water, and the apparent rise from freshets five feet. Should a Bridge twelve rods long be erected here, a Causeway from 20 to 30 rods would be required to pass over the low grounds.

From these observations it will appear that throughout the first division there are no obstacles that come near what are considered difficulties in the rise and fall of the route. It is worthy of remark that the granite formation of rock entirely disappears after passing A, and sand stone in loose detached masses is found.

The second division presents a tract of good land for cultivation, rising gradually from Eel River to the Houlton Road, but not exceeding 16 feet per mile; from thence to the south branch of the Meduxnick is an almost imperceptible descent. This stream may be easily crossed at several places, having level banks with lamellated masses of slaty rock; but we would advise that the north branch should be bridged at the boom, where the River is about 40 feet wide, with level banks from 4 to 6 feet high. The depth of water is three feet, with a flat gravelly bottom.

A strong desire was expressed at Woodstock that the Rail Road should approach the Shire Town, and a practicable route was pointed out to us, but we did not consider ourselves authorised to depart from our line to examine it. It may be a matter for future consideration whether certain advantages would not be reaped by turning the route through this place, or whether a branch road may probably be formed, which would answer the desirable purposes contemplated by the people.

From the Meduxnick to Presqu' Isle the lands are covered with fine mixtures of hard and soft wood, and extensively settled. A series of small hills stretching southeasterly and northwesterly occupies this extent, between which the route may pass in vallies up a gentle ascent to Starrett's lot, and then descend easily to the Presqu' Isle. A noted situation on the River commonly called the Basin was generally thought the best place to pass, but we found we could not avoid a high range to the south, and fixed on an opening up stream, where the River is six rods wide, two feet deep, bottom flat rocks, and rise of freshet six feet. From hence by the farms of John, Henry and William Cronk, we experienced some difficulty, but by making the bend represented in the Map no material obstacle was met to the end of the second division.

3d Division. Having ascended Mars Hill to the place of an observatory formerly erected by the Boundary line surveying party, under the Honorable W. F. Odell and Colin Campbell, Esquire, but which had been wantonly burnt down a short time ago, we there obtained an extensive view of the surrounding Country. The Palfrey Mountains and Prospect Hill, which we had seen from Saint Davids, were easily distinguished by means of a good telescope, and our route from Eel River to the last station was plainly recognized, so that the conclusions we had come to in the progress of our examinations were now confirmed; we had also a clear open view to the westward, and observed a continuous tract of low, level, soft wood land, stretching almost from the foot of the mountain in the direction we were desirous of proceeding in, for fully fifteen miles, and from one to three miles wide. This favourable stretch is bounded by a succession of hills, which occasionally indent the level, but not so as to obstruct the route from passing through it nearly in a straight course due west. Beyond the distance mentioned, a number of detached hard wood hills appeared, and still farther off a blue ridge was seen, over which a conical mountain, evidently of great height, formed a remarkable object. From a comparison with the distant Palfreys, we rightly judged  
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## APPENDIX.

this sharp peak to be west of the Restook, and it turned out to be that marked on the map as Mount Saul. We descended to the northward of Mars Hill at M, and proceeded to explore the line laid down magnetically north seventy west, in which there is no diviation from the level perceptible to the eye, unassisted by an instrument. From Hazel Hill to N, there is a uniform rise, and thence to the Restook a gradual fall. The Restook by Mr. Odell's survey rises over the River Saint John at the mouth of the Restook 334 feet in 110 miles. The route passed the Restook 55 miles above its mouth, and if the fall from where the line passes the Presqu' Isle to the Saint John be equal to the fall of the Saint John from the Restook to the Presqu' Isle, (which is conjectured to be the case) then the pass at the Restook cannot be more than six or seven feet in a mile over the pass at the Presqu' Isle, and consequently much less from Mars Hill to the Restook. The Country along this division exhibits a great variety of growth; many hard wood ridges rise among the low soft wood lands; an admirable tract lies at MM, and beyond Hazel Hill to the Restook are numerous hills, particularly to the north of the route, covered with the best description of Timber, among which is some Oak, and well calculated for cultivation. The rocks consist of granitic and silicious formations, but are not abundant on the surface even of the elevated lands. An extensive sheet of water called the Squaw Pond, and represented in Greenleaf's Map to empty north of our line into a branch of the Restook, we ascertained to empty south of our line into the main Restook.

4th Division. The Restook, where the route passes, is ten rods wide, with level banks and a rapid current, four feet deep, over a hard flat bottom; the freshets rise eight feet, overflowing the intervale on the north side for about five rods back, so that besides the bridge a considerable length of causeway would be required to reach beyond the low lands. The tract to the north of the Big Machias is very level, having a growth of Pine, Spruce and Balm of Gilead, with occasional patches of hardwood. The stream is moderately quick, with few rapids, with many intervale Islands, and stretches of low grass lands. We observed very few Hemlock trees to the west of Mars Hill and none whatever after crossing the Restook.

The surface is considerably broken after passing the Machias, and the line must pass to the north of Mount Saul, into a valley through which it will be necessary to keep its level on the side of the hills forming its northern boundary, as this valley is lower than the lands west of Lake Caroline. From Prospect Peak, looking back, we discovered immense ranges of mountainous tracts, stretching north and south of Mount Saul, with no appearance of a pass but the one we had adopted. To the west lies a long extent of soft wood land, nearly level to the eye, in the direction of our route, bounded by broken eminences on the south, and rising from them in shelving masses until they form hilly ridges on the north. The range enters the gorge of a pass and goes up a deep valley hemmed in by steep hills, containing great quantities of good slate, the fissures of which appear through the surface in strata perpendicular to the base. A rise of land at R divides the Restook waters from those of the Allagash. At this place there is a rise for twenty miles, but not to a height that will affect the route. There are many well wooded eminences scattered around, and we observed that the finest Cedars grew among hardwood on these heights. From hence to the Susquacook descent is apparent, the greatest Fall being about twenty feet per mile from RR to the stream at S. This branch of the Allagash is three rods wide, with low banks and a rocky bottom. Beyond S to T is an easy descent, and thence to the Allagash at V there is a small rise. The river here is about seven rods wide between banks six feet high, with 2 feet of water, and a strong current over an uneven rocky bottom.

5th Division. The whole tract west from the Allagash to the Saint John is an extensive flat, spreading to a great distance on both sides of the route, particularly to the southward, the only perceptible ascent was at VV, from whence to the Saint John, it appeared an elevated plain, without a hill or eminence in view on the south and very few northerly.

The growth is Cedar, Spruce and Fir, with some scattering Pine, White Birch and a few small strips of Hard Wood. The soil appears deep and black in the Cedar, and yellow in the other growths, and free from stone. The whole is evidently what is called a second growth of wood, and the land by no means bad, although rather wet, and no large brooks. The Saint John, where the range crosses is twenty rods wide,  
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## APPENDIX.

with banks eight feet high, to which height, nearly, the freshets appear to rise; the stream is lively but not rapid, and from one to three feet deep, flowing over a flat rocky bed.

The 6th division possesses the same characteristics as the 5th as far as W, at the southwest of Musk Lake; beyond which the land begins to rise gradually to Y, at Spruce Mountain; but where the line is marked on the map, no impediment to the construction of a road is encountered. From the peak of the northernmost of the Three Hills, the declivity shelving down to the Saint Lawrence, and the Light azure heights on its banks were seen, but the view was shut out from the southwest. From Spruce Mountain hills and rugged lands were discovered for several miles south of a valley, which appeared about northwest, and the lands gradually descending in that direction. Hills were also seen apparently extending northeasterly and southwesterly. We then went northeast  $1\frac{1}{2}$  miles, or thereabout, to a branch of Big Black River, thence proceeded on it to the Saint John, and thence home. From Spruce Mountain to Otter Brook, we could not discover any continuous chain of high lands, but such as were separated by valleys; and from the make of the land it appeared as if the streams passed each other in different directions, as they flowed from these hollows to the Saint John and the Saint Lawrence.

On reviewing the whole explored route, we do not hesitate to express our opinion that no obstructions exist that can impede the formation of a Rail Road; that a great portion of the lands through which we passed are fit for settlement, and that we met no burnt tracts whatever.

By our descriptions it will be found what materials are offered for the construction of the road, and that the grading is less difficult than is generally found in so long a route.

All of which is respectfully submitted.

GEO. N. SMITH.

C. R. HATHEWAY.

To H. Hatch, John Wilson, S. Frye, James Rait, and John McMaster, Esquires,  
Committee of Management for the Saint Andrews and Quebec Rail Road Association.

### *Report of an exploration for a Rail Road between Saint Andrews in the Bay of Fundy and the City of Quebec, 1836.*

The exploration of the Country from Quebec to Saint Andrews was ordered to be made in consequence of a Petition to the Home Government on the part of the Railway Association of Saint Andrews; it was carried on under the sanction of the Right Honorable the Secretary of State for the Colonies, conveyed to His Excellency Major General Sir Archibald Campbell, Baronet, Lieutenant Governor of New Brunswick.

The object was to ascertain whether the nature of the Country was such that a direct practicable route for a Railway could be found in it, also to obtain as much information as the limited time would allow, by which an opinion could be formed of the most eligible line on which the more detailed operations required for the construction of a Railway might subsequently be directed.

According to the general description of the proposed road, given by the Association, it was required to pass round the northern extremity of Mars Hill, about 36 miles below the Great Falls of the River Saint John. Mars Hill being about twenty miles south of the latitude of Quebec, the first examination was accordingly made in a direction east, towards Saint Gervais. After reaching the high ground on the south bank of the Saint Lawrence, there is a descent to Saint Charles on the Boyer Stream, forming the side of a valley extending upwards as far as Saint Henry, near which, on the road leading to Saint Anselme, it is to be seen opening to the North, and affording extensive views of a cultivated Country, and the appearance of one continued village.

The prolongation of the gentle slope required for a Railway, would not admit of this valley being crossed, and the high ground above Saint Gervais attained, without leading the general line as far as the River Du Sud, and there is no opening to the East through the rising ground extending from Saint Gervais to that river.

In the report of a reconnoissance which I made the preceding year, by order of Lord Aylmer, then Governor General of Canada, for the purpose of meeting the projected Railway from the State of Maine, the route by the Etchemin was recommended, in case it should ever be contemplated to communicate by a Railway with New Brunswick; it was found on the present examination, that the line towards the River Du

## APPENDIX.

Sud would lead as much farther to the north of the general line, as that by the Etchemin to the south, the latter was therefore adopted and a survey of it commenced.

Even if other considerations respecting the choice between these two routes had been equal, that of the Etchemin appears preferable, because the Country bordering on the Saint Lawrence has already easy access to the Capital; but the Etchemin leading directly to the interior of the Country, a Railway along its banks at once gives increased value to a remote and almost inaccessible district.

It will be a ruling principle in the execution of the proposed work to take a wider view of the undertaking than the mere general object of connecting Quebec and Saint Andrews, for although the chief advantage proposed to be derived from it may be obtained without reference to a great portion of the intervening Country its utility\* ought not to be so limited; it should when completed, form such a road as will be best capable of contributing to the general benefit of the Country.

A work having this object in view, although it should not offer an immediate return, would be more entitled to the support of the community, as being more suitable to an undertaking of national importance.

By whatever route to the south the Railway may be made to pass, the high ground above Point Levi has to be surmounted; this was rather prematurely looked upon as the chief obstacle in the whole distance, and the adoption of a stationary power was believed to be indispensable.

If the stationary power be used anywhere, its disadvantages must obviously be least felt at the extremities of a Railway.

In the report above alluded to, a general question was put relative to this subject; it is a point yet to be decided by considerations apart from peculiarities in the features of the ground.

The high ground above Point Levi is about 278 feet above the Saint Lawrence, and a line traced with a slope of 40 feet in a mile reaches it near Beaumont.

The commencement of the line might be traced upwards towards the mouth of the Etchemin, but the banks of the Saint Lawrence in that direction being very rocky and precipitous, would require extensive excavations and embankments.

The line marked in the mean time commences at the east end of the Cliffs which extend from the lowest Ferry Wharf to the Shore below Point Levi Church, near a small Stream, and at an elevation of about 59 feet above the Saint Lawrence.

If this should be adopted as the end of the Railway, there will be found ample space for the necessary establishment of store houses at less cost than near the present Ferry; it is also considered to be a good site for erecting a Wharf, the water being shallow off this point.

But if it should be thought preferable to continue the Railway more nearly opposite to Quebec, an expensive viaduct will be required along the rocky shore as far as the wharf of the nearest Ferry.

The ascent of 40 feet in a mile terminates at Beaumont, about  $6\frac{1}{2}$  miles below Point Levi, it is free from abrupt curves, and will not require much excavation.

Being a practicable route and within the limits of a reasonable expenditure, it is sufficient for the object of the present report, it represents the extreme deviation from the direct line to Saint Henry;† and offers an alternative in case it should be thought preferable not to adopt the stationary power.

From Beaumont to Saint Henry, the line was not traced, it appearing unnecessary to do so, as the County is nearly flat, until the question of the two lines shall be settled.

Saint Henry is situated between the head of the valley extending as above described to Saint Charles and the River Etchemin; it is therefore a fixed point in the route.

A line is traced from Saint Henry with slope of 30 feet in a mile for fifteen miles, being about a quarter of a mile beyond the Abenagues River. When the line approaches the bank of the Etchemin, occasional excavations will be necessary, and there are two ravines on this plane, one 60 feet wide by 12 deep, another 90 feet wide and about 40 feet deep, which will require viaducts; but the general nature of the ground is favorable.

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\* Because so much of it is uncultivated that for some years it must be left out of the question of profit.

† The distance in a straight line from Saint Henry to the Ferry at Point Levi is 11 miles; by Beaumont it is  $15\frac{1}{2}$  miles; the choice then lies between the latter distance, of which  $6\frac{1}{2}$  are with a slope of 40 feet in a mile, and 11 miles of Railway with a stationary power; but the difference would be more in favor of the Beaumont line, as the country from Saint Henry direct is of a more difficult nature, being intersected by the River a la soie, and other water courses, the channels of which have been worn very deep.

## APPENDIX.

After proceeding six miles nearly at a level, there is a slope of 20 feet in a mile, then it is level for a mile to the River de l'Eau Chande; above this stream the section for 11 miles shews a rise along the river of about 12 feet in a mile; but from the junction of the River Etchemin and the discharge of the lake, to the lake itself there is a fall of 52 feet in a mile for 4½ miles, but this would be reduced by keeping the high ground on the banks of the river, at a considerable cost however for excavation and filling up.

The next obstacle in popular estimation after Point Levi, was the highlands or ridge dividing the Saint John from the Etchemin.

On exploring a short distance beyond Lake Etchemin a stream was crossed which was known to fall into the River Famine, and after a considerable descent that river was reached.

A very slight elevation was found between Lake Etchemin and the above mentioned stream, and it was understood that the Famine and one of the tributaries to the Saint John, take their rise from the same swamp at the distance of about seven miles.

As it appeared probable that from the hilly nature of the Country, the Famine descended rapidly from its source, instead of tracing the line straight to it, the level of the dividing ridge was directed to be continued, following the sinuosities of the valley until it should intersect the plane of the bed of the Famine.

The levels taken accordingly shewed that from Etchemin to the height of land, there are only 12 feet of ascent; the line crosses the swamp above mentioned and is carried level without any interruption for eleven miles, when it reaches the Daagwam; one of the principal branches of the Saint John, by a descent of about 90 feet in the distance of one mile.

It is obvious that by keeping close to the right bank of the stream from the swamp, this descent can be made by a slope not exceeding twenty feet in a mile without increasing the distance.

But it will probably be found preferable to continue the level line from Lake Etchemin either until it reaches the bed of the Daagwam (in the same manner as at the Famine,) or until the valley be found of such a breadth or depth that a viaduct could be constructed across it at moderate expense.

This would also save the ascent which otherwise would probably be necessary to reach the Allagash from the banks of the main branch of the Saint John.

East of the Daagwam the Country is nearly flat; where the undulations do not exceed the required slopes, the route may be made to follow them, so as to avoid the circuitous line of absolute level, which, as shewn on the Plan, is too far to the north.

Circumstances prevented the commencement of the survey between the Allagash and the river Saint John, and the line explored late in the season, fell upon a Lake about seven miles long and crossed two ridges of about 300 feet elevation: but these may be passed to the south without deviating widely from the general course, as the fourth Lake of the Allagash is visible from a hill to the west of this Lake through a valley at the head of it.

It may be observed with respect to the general course between Mars Hill and the upper part of the River Saint John which is nearest to Lake Etchemin, that the Country from east to west was previously entirely unknown; it was supposed to be level, but it had merely been examined and partially surveyed by persons passing in canoes, along the Saint John, the Allagash, or the Restook; accordingly in the present exploration, not a single feature, neither stream, lake nor mountain could be identified, until the Restook was reached, by referring to any existing map, or any which fell in the way of the exploring party. No provisions were to be obtained on the route; the dry season rendered (as it was afterwards found) the transportation by water difficult, but no one connected with the proposed operations, knew whether the Allagash and Restook were navigable or not.

The Saint John River was described to be navigable, but it was scarcely so, even for canoes, from August to November 1836.

A journey in which every thing required on it, had to be carried through the woods on men's backs, was limited both in time and distance, by the loads the men could carry; each man's load was about seventy pounds, but they who carried baggage, required others to carry provisions for them; the track was also to be marked as a guide for future operations. The provisions were calculated for twenty days, leaving  
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## APPENDIX.

very little time to deviate from a straight line, for the purpose of extending observations of the Country, or to meet difficulties or accidents of any kind.

Having decided on a general direction, the mode adopted was to proceed straight\* on it, with the compass as the only guide.

The point of crossing the Allagash required the greatest degree of attention in the exploration, for being nearly† midway through the unknown part of the Country, it could only be determined by balancing the advantages of the route from the two points, Mars Hill and Lake Etchemin.

The first line explored between the Restook and Mars Hill, was from near the mouth of the Machias; it was favorable, but not being within the general direction, it was not surveyed until after an examination of the line by the Skahapan Lake. ‡

From Mars Hill the view west appears uninterrupted over a hilly Country for nearly 60 miles, at which distance, there are ranges of mountains extending north to south, which have been designated according to the names of the streams nearest to them; the Musquacook, Mooseluc, and Monaghsahagan.

A valley was observed to extend due west from Mars Hill, and the survey of it was immediately commenced and a section of the Country made to the River Restook, 25 miles distant.

The Country was favourable for 17 miles, when the line was found to intersect a ridge two hundred feet high, and the Lake Skahapan at the foot of it; and although by turning the ridge to the southward, the Lake would be avoided, yet as the route necessarily passes north of Mars Hill, it it as near the Restook by the north line towards the River Machias, as by the south one towards the Skahapan Lake.

The due west line, produced across the Restook, runs through a level Country for eighteen miles, when it reaches some high ground which can be passed to the north.

This line continued to the Allagash, crosses the Mooseluc range seen from Mars Hill, but it can be avoided, and the fourth Lake of the Allagash reached by an opening at the foot of Monaghsahagan Mountain.

A survey has been made from the Allagash to the north of the Mooseluc range, through the dividing ridge of the waters of the Mooseluc and Musquacook. The approach to the third Musquacook Lake is over a ridge, supposed to be 500 feet high, but it is not known whether to the south of this part of the surveyed line an opening may not be found from the Portage near the fourth Lake to the source of the Musquacook River, a distance of 7 miles; if it does exist, and as the ridge at the Portage between the Musquacook and Mooseluc is not more than 100 feet high, the valley of the Mooseluc may be reached by this course as well as by the foot of the Monaghsahagan Mountain.

The section made to the Restook was joined by another passing round Mars Hill from the south east, and was afterwards prolonged to the nearest part of the River Saint John.

This part of the course as far as Eel River crosses several tributaries to the Saint John River, and the general level of the country above its bed being about 300 feet, these Streams descend rapidly, and their channels are very deep.

It would be of no advantage to construct the Railway along the banks of the Saint John, because it would be necessary to quit them at Eel River, and rise again to the general level of the country there.

The banks of the Saint John would also require a great deal of labour, in order that the track should be free from undulations.

The direction southward, to be followed from Mars Hill, was in the first instance indicated by a hollow observed in the ridge between that Mountain and the Saint John River; this was afterwards found to be at Cronkite's Settlement.

The route to be traced thence was proposed to be ascertained by finding the level of some of the vallies in the broken country between Jackson Town and Eel River.

Accordingly three lines were levelled from the Saint John; one to Jackson Town, and the others along the Houlton Road and old Church Road. The

\* This plan was not followed implicitly; considerable delay and inconvenience were occasioned by descending the Saint John, partly with the hope of finding the navigable waters, the original line produced crosses the meridian of Mars Hill at seven miles from its base.

† It is the centre of a circle of more than one hundred miles in diameter, comprising probably the largest tract of Country to be found in North America, south of the St. Lawrence, and east of the Mississippi, which with the exception of a few scattered settlements on the banks of the Restook, is still in a state of wilderness. There are only two settlers on a hundred and thirty six miles of this portion of the line.

‡ Mars Hill was found, by levelling, to be 1500 feet above the Saint John River near it, and 1200 feet above the general level of the surrounding Country; there is no other elevation so great nearer than the Musquacook and Mooseluc mountain chain.

## APPENDIX.

The best line in connection with the country on both sides of it, appeared to be near Parley's Hill on the Houlton Road, about 2½ miles from Woodstock.

The Jackson Town Road will be crossed near the Meeting House, at an elevation of 305 feet above the Saint John, and the old Church Road at 192 feet above it; the descent of the Saint John in this distance need not be taken into account, as the slope to connect these two points will not exceed 14 feet in a mile.

The operation of levelling was not carried on further in this neighborhood, but a line was explored beyond the southern bank of the Eel River, still keeping nearly at the same elevation above the Saint John. The view from Polphrey Hill and Prospect Hill shews a level country, which has been already surveyed for settlements.

In passing through it a number of large granite boulders were found, which will be expensive to remove should they come in the way of the route. After crossing Eel River, the route proposed will skirt the foot of the Polphrey Hills on the north side; thence to the westward of Mount Prospect.

A high ridge at Saint Davids crosses the line of approach towards Saint Andrews.

As the most direct line appeared to be towards the Wohaweig, a section was made of a low part of the ridge dividing the waters of that Stream from those of the western branch of the Digdeguash. This height of land was found to be about 200 feet above this branch, which, at 40 feet to a mile, would carry the line considerably to the westward; it is therefore not ascertained whether a line may not be preferable along the western branch of the Digdeguash, in the Grummock Settlement.

Although there is no feature of the country in this long extent which can be called an obstacle; that is none requiring expense to remove; yet the country is not of so uniform a nature that the best route could be ascertained by mere ocular inspection.

There are many degrees between a practicable route and the most eligible one, and the choice requires the balance of conditions which can only be adjusted by considering large portions of the line with reference to particular parts, and by minutely surveying them.

This remark, however, is only applicable to a few miles on each side of the Allagash, and the country between Saint Davids and Saint Andrews. On comparing the whole route with the accounts of other similar works, it is apparent that it is not only remarkably free from such obstacles as might have been expected in so large a tract, of which part at least was known to be mountainous, but it is very favorable for the object in view.

There are no abrupt and rocky ridges to turn the route wide from a straight line; only four large Rivers, and few ravines which are broad and deep. The principal expense in constructing a Railway in this tract of country, compared with works of similar extent, will be for provisions, owing to the remoteness of the route from supplies.

But this expense will be within the reach of sure calculation before the Railway be commenced, by the establishing of depôts of provisions along the projected line during the winter season when the Roads are good.

With respect to the nature of the country as adapted for settlement, it is to be observed that generally the best soil was found on the Hills.

The first forty miles from Quebec are already inhabited, and twenty miles more are well fitted for cultivation; but on approaching the banks of the Saint John, the soil is very poor.

Onwards towards the Allagash and the Restook, as the line for the Railway is in the flattest country, the soil is not the best according to the above general description; but all around, and more especially to the north of the proposed route and the Machias River, there is a considerable extent of Country on the banks of the Fish River, its Tributaries, and chains of Lakes, which contains good soil and Timber of much mixed growth—also many sites for Mills. The Restook has some strips of valuable alluvial soil.

From Mars Hill towards Jackson Town the Country is said to be superior to any tract of equal extent between it and the Connecticut River, and in approaching the Polphrey Hills the line will pass through an arable country, which only requires to be made accessible to add to the wealth of the Province.

The total distance will be about 300 miles, and the expense as estimated according to the present cost of similar Works in America will be about One Million.

## APPENDIX.

The distance between Fredericton and Quebec (which by the present Post Office Route is 350 miles) will be reduced to 274 miles by the line of Railway.

J. YULE, *Captain Royal Engineers.*

### REPORT OF GEORGE WIGHTMAN, CIVIL ENGINEER.

SIR—Having been directed last Spring by the Committee of the Saint Andrews and Quebec Rail Road Association, to explore and survey a line for a Rail Road from Saint Andrews to the River Meduxnikick in the County of Carleton, I beg leave to lay before you, for the information of the Committee, the following report of the result of my researches.

Commencing at Caty's Cove in the rear of the Town of Saint Andrews, the line passes along the shore at High Water mark for thirty five chains, and then rises at a maximum grade of thirty five feet per mile to the dam at the lower Chamcook Lake—a distance of two hundred and twenty three chains, and attaining a height of ninety one feet above the sea; it thence runs along the eastern side of the lower Chamcook Lake, passes Dr. Fry's Mill, and along the western side of the second Chamcook and Limeburners Lakes; thence near the house of Mr. Leonard Bartlett, and to the Fredericton Road near Mrs. Connick's—a distance from the place of beginning of eleven miles and three eighths, and height above the sea one hundred and forty eight feet; from this point it continues rising at maximum grades of thirty two feet per mile to Connick's meadow on the height of land between the Waweig and Digdeguash Rivers—the distance being from the place of beginning seventeen miles and three eighths, and height above the sea two hundred and seventy five feet; from thence it runs seven miles on a level to a point about thirty five chains northwardly of the west branch of the Digdeguash, and then rises at thirty eight feet per mile to the high lands westwardly of Symmonds'—the whole distance from the place of beginning is twenty seven miles and three quarters, and height above the sea three hundred and ninety five feet.

Up to this point the line keeps either a level or rising grade in going northwardly, and has undergone such corrections as to bring it near to the place of final location. The remainder is merely an experimental line, carried directly forward, as a base for future operations, but as the surface of the country is much more even and regular than to the southward, it will not require so much alteration, and the final line will not be very different, but most probably superior in grades and distances to that of the present survey. With these remarks, I proceed to describe the remainder of the line.

From the high lands before mentioned to the head of the Digdeguash, twelve miles and a quarter, the ground is undulatory, the steepest grade being thirty two feet per mile, and the greatest height above the sea four hundred and fifty four feet; from thence to the Howard Settlement Road the distance is twenty four miles. About one half of this is level, the remainder upon grades of from sixteen to thirty three feet per mile. The height at this point above the sea is five hundred and forty three feet. From Howard Settlement Road there is a descent on grades of from thirty to eight feet per mile, nine miles and three quarters to Eel River—the whole fall being one hundred and forty three feet. From thence to the summit of ground northwardly of Eel River is five miles and a half, and the rise is one hundred and seventy five feet, which is ascended by grades of thirty nine, but which I think may be reduced to thirty five feet per mile—Eel River is therefore in a deep valley running directly across the general course of the line, but its great width (fifteen miles) enables us to cross it at practicable grades. From the summit last mentioned to Richmond corner, passing across the head of the Basin of Bull's Creek, are several undulations upon grades not exceeding thirty feet per mile; the distance is seven miles, and the height of Richmond Corner above the sea five hundred and forty nine feet. At this place there must be a deep cut through soft slate rock that will cost about twelve thousand pounds, or otherwise a circuit made of two miles to avoid the necessity of an inclined plane to the northward. From Richmond Corner to the Meduxnikick, the fall of ground is three hundred and sixteen feet; the distance by the line, which is through the most obvious opening, is eight miles and three quarters, and can be passed by a grade of thirty six feet per mile. A good part of this grade is along the irregular banks of water courses, and will be considerably expensive.



## APPENDIX.

expensive. From this last place to the Falls of the north branch, a mile and a half, the rise is twenty five feet per mile, and the height of that point above the sea two hundred and sixty nine feet. The whole distance from the place of beginning is ninety six miles and three quarters.

This is the termination of the survey, but from what I have learned of the country further north, I have no doubt of the practicability of the line to Mars Hill.

The grades are as follows:—

### *From Saint Andrews to the Meduxnikick.*

Grades.	Ascending.			Descending.		
	M.	F.	P.	M.	F.	P.
Level,	33	7	4			
0 to 10 feet per mile,				3	7	36
10 to 20 feet per mile,				8	6	4
20 to 30 feet per mile,				9	7	24
30 to 40 feet per mile,				13	5	24
	33	7	4	36	3	4
				26	3	8

### *From the Meduxnikick to Saint Andrews.*

Grades.	Ascending.			Descending.		
	M.	F.	P.	M.	F.	P.
Level,	33	7	4			
0 to 10 feet per mile,				7	1	36
10 to 20 feet per mile,				3	5	00
20 to 30 feet per mile,				6	5	36
30 to 40 feet per mile,				8	6	16
	33	7	4	26	3	8
				36	3	4

Of these ascending grades, the whole of the last mentioned is north of Richmond corner; the next heaviest, 30 feet per mile, is in Eel River valley, but there is reason to believe that this may be reduced. It would be very desirable to obtain a line, having level or descending grades, from Howard Settlement to Saint Andrews. If this were effected much of the freight originating along the line would be brought to the sea nearly free of charge for power, by reason of the difference of weight of the outward and inward cargoes. The establishment of such a line as far northwardly as possible has been a leading feature in my plan of operations, and I believe it may be accomplished as far as that place at an extra outlay of about twenty thousand pounds. Whether it be most expedient to pursue this scheme at present, to arrange for its final accomplishment by leaving undulations to be levelled at a future period, or to abandon the design altogether, will be questions for future determination.

Another course that might be taken with a very little additional expense, is to leave a series of ascents in the southward direction, ten feet to the mile. This would allow the line to cross the west branch of the Digdeguash near its mouth, and continue up the valley of the River, as shown on the plan by the dotted lines, thus avoiding the steep grade at Symmonds'. The average rise from the west branch to Barber's dam would be twelve feet per mile, and from thence to the Pole dam nearly level. Upon this scheme we should have the maximum grades in the direction of the heavy traffic ten feet, and in the contrary direction thirty two feet per mile. This would give the useful effect outwards about three times as much as inwards, which is probably about the same proportion that would exist in the traffic.

It has been suggested as very desirable that the road should touch upon the River Saint John. As a proper attention to this matter would have taken up more time than could be devoted to it, I have only made a few passing observations, and beg leave to submit such opinions as my limited knowledge of the subject has enabled me to form. The broken nature of the Country from the Palfrey mountains to the Meduxnikick precludes the idea of carrying the line any nearer to the Saint John; but there



## APPENDIX.

there are two openings by which that river may be reached. One of these is by Bull's Creek, the other by some streams that rise in Howard Settlement and flow into Eel River. The latter course will probably prove the most eligible. I do not think there are any insuperable obstacles in either route. Supposing the banks of the Saint John reached, the line may be carried along the river and across the Meduxnick about thirty rods above the bridge, upon a high viaduct, which might be converted into warehouses, and so pay for itself. From that place it may rise to the high lands of Jackson Town, falling into the line of Mr. Playford. This line will cross the Meduxnick upon a level of about one hundred and twenty lower than that at the Forks, producing the effect of a deeper valley, but the disadvantage may prove more apparent than real. The expense of working a Railway is governed more by the *steepness* of its grades than by the absolute height or depth of the hills or vallies passed over. The profits also depends much upon the first cost and maintenance of the way, and the direction of the heavy traffic, taken in connection with the grades, and it is not till comparison can be made on all these points that a proper estimate can be had of the comparative advantages of these lines.

Supposing the line by the river to prove ineligible, a connection with Woodstock may still be obtained by a branch of six or seven miles along the Meduxnick, or by slack water navigation, by means of dams upon the river. This last method might prove the best; the water power created would be a source of profit, and would serve to work an inclined plane connecting the road with the canal. The freezing of the canal may at first view appear as disadvantage, but as the Saint John is frozen at the same time, the detriment from that cause is more apparent than real.

With respect to grades, it has been stated that the steepest is thirty six feet per mile. This is quite within what is considered profitable working grades on the American roads. The rapid improvements in locomotive engines enable them to ascend slopes that were till lately considered impracticable. By experiments made on the Hudson Rail Road in the spring of 1836 an engine of ten tons weight, was found to draw forty one tons upon a grade of fifty feet to the mile, at twelve miles per hour. In the spring of 1837, an engine of nine tons weight, was found, in ordinary course of work, to draw on the Columbia road in Pensylvania 172 tons up a grade of forty nine feet per mile, at ten miles per hour, equivalent to 140 tons at twelve miles an hour on a grade of fifty feet per mile, being an improvement upon former engines of nearly three and a half to one. This engine would take 175 tons up a grade of forty feet per mile at 12, or 260 tons at eight miles an hour. We may therefore conclude that the grades of this line are quite within the power of the present engines for heavy work; indeed it will become a matter for serious consideration whether the grades had not better, in some instances be increased for short distances to fifty or even sixty feet per mile; making compensation by powerful engines and extra fuel, and thereby avoiding expensive excavation and embankment. The profit to stockholders being governed by the cost of construction and of working taken together, to reduce the first item at an increase of the second, may be the most economical management. By adopting such a course a large present outlay might be saved, and the way left open for future improvement, should such be required.

With respect to curvatures, the first twenty three miles from Saint Andrews the lowest radii are about 1000 feet, with the exception of one at the Chamcook Lake, which is 560 feet and two others of 750 feet. On the remainder of the line they will generally range at from half a mile to a mile; a very few being as low as 1000 feet. This is quite as favorable as most roads in the United States. In the Baltimore and Ohio road curves of from four to five hundred feet radii are quite common. On the Erie and many other roads, seven hundred feet is not thought too small. Curves produce partly the same effects as ascents; they lessen the speed, but they create no necessity for reducing the load. If they have short radii the peripheries are proportionally short, and the momentum of the train carries it past the curve. A train moving at ten miles an hour, would in passing thirty six degrees of a circle of seven hundred feet radius, be retarded by curvature only six seconds. The loss of time therefore from curvatures in a Rail Road, is ordinarily too trifling to require going into heavy expenses of construction to avoid or lessen them. Were one fourth of the road from Saint Andrews to the Meduxnick composed of such curves as the above, the

## APPENDIX.

the whole retardation in time, of a train at ten miles an hour, would be only half an hour, or five per cent. And it would depend a good deal upon general arrangements, whether that half hour required any more additional expense than a few shillings for wood. It is indeed known that since the opening of the Liverpool and Manchester Rail Road, the tendency of practice, especially in America, has been to make engines more heavy and powerful, grades steeper, and curvatures smaller. These alterations are indicative of the common experience of engineers, and are doubtless founded upon considerations of profit. The inference to be derived from them should not be unattended to in the present instance. It may be thought that steep grades and quick curvatures compensated by increased locomotive power, is rather a barbarous plan for a scientific undertaking of this kind—that the practice of England is against it. But the cases are not parallel. In Great Britain Railways are luxuries created by cheap labour and boundless wealth; in this Country they will be necessities to be obtained by the application of limited means; their chief use being to facilitate heavy traffic, and open inaccessible regions to settlement. The cheapest way of effecting these objects is probably the best. There are moreover other reasons of a more local nature, in favour of adopting the above plan on this road. The heavy excavations required on a more perfect line would be attended with a great deal of expensive rock cutting; and they would besides be liable to a considerable annual expense for clearing them of snow, and of ice formed from the spring water that would issue from their sides. On the other hand, extra power in the engine is attended with but little advance in the first cost, or in the working; the quantity of fuel indeed must be proportional to the power, but by making reserves of the soft wooded land along the line, the expense of wood will never rise above the cost of cutting.

This subject should be well considered before entering upon the work, and enquiries upon the new roads in the mountainous districts of the United States, and where freightage is the principal object aimed at, would materially assist in coming to proper conclusions.

In connection with the subject of expense of construction, I beg leave to state that it appears from calculation that in crossing low ground, embankments below ten feet in height, and above that height trestle work will be cheapest, allowing for a reserved fund for the repair of the wood work. It may be made of white cedar, which is a very cheap and durable material, and as it fails its place may often be supplied with stone from the adjoining fields at a moderate expense, and at the same time giving encouragement to the clearing of the Country.

Another topic which I beg leave just to notice, is the width of track. The Liverpool and Manchester road was laid at four feet eight inches, taken probably from the width of common carriages. This width has been copied on most other Rail Roads in England and in America, and such is the connection between most of these roads that it would be inconvenient to make an alteration. The present road being the first of its kind in this region, connections of this nature will not exist. Some of the reasons in favour of an increased width of track may be stated as follows. An increase of the power of an engine can only be obtained by extension of the heating surface of the boiler; but upon steep grades a great length of boiler is inadmissible, the most proper increase would be in width. An increased width of track would admit of this, besides giving greater stability to the train in passing curves. For passenger trains broad engines and proportional diameter of working wheels would probably be found most profitable; the former property would admit increased power, the latter of corresponding speed, without requiring too rapid a motion of the piston, while the greater width of track would preserve stability. For burthen trains the wheels and motion of piston might be reduced to the speed required.

With respect to superstructure, much has been written on the subject and many schemes tried; we however should be guided by the peculiarities of our situation. In England and in the United States the rails are laid nearly level with the ground, and their supports wholly or partially covered, a horse path being made between them. In this country the propriety of such a plan is very doubtful; the snows of winter would cover the road to too great a depth, and the heaving of the frost derange the rails; besides the American plan induces speedy decay of the wood. These inconveniences may be in a good measure prevented by raising the superstructure entirely above the  
d1 ground,

## APPENDIX.

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ground, and by forming and arranging the timbers so as to prevent water from lying upon them, or insinuating itself between the bearing surfaces. It might be thirty inches high without costing more than is usual, and a snow plough would clear off any depth of snow that would ordinarily accumulate above the rails. For lower timbers I would recommend white cedar, and for rails pine, covered on the top with the heart wood of red beech. Such a work would last twenty or thirty years. The materials are in abundance all along the line.

Before closing this paper it may be expected that I should say something on the subject of expense. When it is considered that more than two thirds of this line is a mere experiment upon the capability of the country, and has undergone no corrections, and that neither is there any proper determination of the point of perfection at which to aim with respect to grades, curvatures, and permanent works, it will be perceived that a formal estimate would be entitled to very little confidence. I beg leave to state as matter of opinion, founded upon some measurements and comparisons, that the road may be made in the manner I have recommended for from ten to twelve thousand dollars per mile.

With respect to the degree of exactness of measurements on this line, I beg to state that upon thirty five miles of the southern part they have been verified by double lines to be correct within less than a foot to the mile; and I have no reason to think the work less exact on the remainder; but as the errors are as likely to be above as below the truth, the general deviation cannot be very great.

Observations upon the general formation of the country, openings for other lines, and such information as may serve to abridge the labour of a future Engineer, will form the subject of a future paper to accompany the plans.

All which is respectfully submitted.

GEORGE WIGHTMAN.

*Saint Andrews, 14th December, 1837.*

J. H. Whitlock, Esquire, Secretary and Treasurer, &c.

**No. 4.**  
—  
**REPORT**  
OF THE  
**BOARD OF AUDIT,**

ACCOMPANIED BY EXPLANATIONS FROM THE COMMISSIONER OF CROWN LANDS,

*On account of Disbursements in the Crown Land Department for the period between 1st  
January and 30th June, 1837—amounting to £8,602 18 1½*

806. The first item in this account is for the Commissioner's salary for the quarter ending 31st December, 1836, at £2019 4 4 per annum, £504 16 1

812. The indoor establishment for the same quarter, at £1010 per annum, viz.:—

J. A. Beckwith,.....	£87 10 0	
William N. Akerley,.....	45 0 0	
L. W. Gall,.....	37 10 0	
Arthur Pilleau,.....	27 10 0	
A. S. Inches,.....	25 0 0	
Timothy O'Connor,.....	25 0 0	
Messenger,.....	5 0 0	
		252 10 0

**C. THORP.**

815. This was a sum paid by Thorp for the purchase of an Island in Passamaquoddy Bay, but it afterwards appearing that the Island had been previously granted, the money was returned. 17 0 0

**1. MICHAEL HARLEY.**

817. This account is for surveying Crown Lands between 22d August 1832, and 13th July, 1833, and is made up in a very extraordinary and unsatisfactory manner. As far as can be judged from the account, it is for surveying sundry lots, a part of which are charged for, and others are not charged; the reason for this distinction is not given, and it appears that it excited some surprise in the Crown Land Office that the claim had lain dormant for so long a time, and they were not aware but that Mr. Harley had been paid by the individuals concerned. On the 12th September, 1836, an affidavit is made stating that he had never been paid. The Commissioner of Crown Lands affixes his usual certificate, but no sufficient explanation is given why the Surveyor was not paid by the parties. From the best information which the Board can obtain, they are of opinion that this survey is entirely of a private nature, and ought not to be made a charge against the Government. 16 0 0

*Explanation by Commissioner Crown Lands.*—The survey of the granted lots was not charged, the remainder was Crown Land, and the survey was not therefore of a private nature.

*Carried forward, £790 6 1*

# APPENDIX.

Brought forward, £790 6 1

## 2. JOSEPH HUNTER.

817. Surveying 1280 acres of Land in Gloucester, (between 23d July and 3d August, 1836) sold to James Rait, @ 4s. in 1836.

Charged 10 days, @ 22s. 6d.	£11 5 0
4 assistants, 10 days, @ 6s. 4d.	12 13 4

£23 18 4

The charge of 2s. 6d. per day extra, requires explanation. The account is attested to, and certified by the Commissioner of Crown Lands.

23 18 4

*Explanation.*—The land was sold, and a survey was necessary to enable the Crown to perfect a title.

## 3. NELSON ARNOLD.

817. Timber inspection in King's and Westmorland, from 25th May to 9th July, 1836, 25 days, @ 20s.

Passages and Horse hire,	£25 0 0
	5 0 0

£30 0 0

There appear many objectionable charges in this account. The Council required more particular information, which is given by Mr. Beckwith, in the shape of an *Epilome of Mr. Arnold's Journal*. But the information thus given is not sufficient to shew that the services were necessary and proper charges against the Government. The account is attested to before a Commissioner of the Supreme Court, and certified by the Commissioner of Crown Lands.

The attestation being taken before an incompetent authority is void, and the account being thus deprived of so essential an authentication, is unsatisfactory.

30 0 0

*Explanation.*—This duty was necessary, was performed to the satisfaction of the Commissioners of Crown Lands, and produced part of the Revenue collected. The account is very reasonable.

## 4. JAMES DAVIDSON.

817. 12 days surveying a logging berth at Pockmouch, April 1836, also Cunard and Rankin's licences,

4 days going and returning,	£12 0 0
Plan &c.	4 0 0
	1 0 0

£17 0 0

This account is attested to, and certified by the Commissioner of Crown Lands.

Another account is affixed for surveying Caraquet Island, on the 5th March 1835, including return &c.

4 Men, 1 day, @ 7s. 6d.	£3 10 0
	1 10 0—5 0 0

£22 0 0

An affidavit is attached, stating that the said sum of five pounds is *justly due to Sabastine Poulain*, he having paid said deponent Davidson. No certificate from the Commissioner of Crown Lands, but Mr. Beckwith certifies it to be a proper charge against Government. Mr. Davidson signs the receipt for the whole amount, £22 0 0, thus receiving the five pounds twice.

22 0 0

*Explanation.*—The Crown only pays for the survey once. The matter between Poulain and Davidson is quite of a private nature.

*Reply.*—If Mr. Davidson was paid by Poulain, as he alleges, why call upon the Government for payment a second time? Poulain himself should have been the applicant.

Carried forward, £866 4 5

# APPENDIX.

Brought forward, £866 4 5

## 5. WILLIAM J. BERTON.

817. Inspecting timber and laying off licences, leases &c. from 25th March to 24th June 1836, 49 days, @ 20s. £49 0 0

Paid Alexander M'Niel for assistance in taking account of Timber &c. per receipt, 8 0 0

£57 0 0

To this account an epitome of the Journal is also affixed by Mr. Beckwith, but it contains so little information, that it is quite impossible to form any opinion of the correctness of the charges. The receipt of Mr. M'Niel does not accompany the account. The usual certificate of the Commissioner of Crown Lands, stating the services to be necessary, satisfactory and reasonable, is attached to the account, but is *not signed*. The Commissioner however affixes another certificate merely stating that the service *was performed by his authority*, but whether it was satisfactorily performed, or the charges reasonable, is not stated.

57 0 0

*Explanation.*—The service was required and performed to the satisfaction of the Commissioner of Crown Lands, and greatly assisted the Revenue. The account was reasonable, and the receipt was enclosed.

## 6. HENRY B. RAINSFORD.

817. Inspection and surveying from 25th March to 30th June 1836. In this Account is a charge of 20s. for attendance at the Crown Land Office, on the 8th April, by direction of the Commissioner, which requires explanation. The account is attested to and certified by the Commissioner of Crown Lands.

48 16 3

*Explanation.*—Mr. Rainsford attended to prepare lists of licences it was proper for him to inspect, as also to acquire such information as would enable him to perform the duty with celerity.

## 7. HENRY B. RAINSFORD.

817. Inspecting and surveying from 30th June to 1st September, 1836, 14 days @ 20s. £14 0 0

Paid Canoe man, 14 days @ 7s. 6d. 5 5 0

Charge for surveying Ebenezer Burpe and Henry Loder's 5 year licences, 6 miles and 75 chains @ 60s. 20 16 3

£40 1 3

The Commissioner of Crown Lands should explain upon what grounds he directed this latter expence to be incurred, for it appears by reference to the Crown Land Office, that up to this day (25th October, 1837,) Ebenezer Burpe has no 5 year lease, nor has he paid any mileage. Henry Loder has a 5 year lease, No. 207, 1st May, 1837, for 2 square miles, the Government thus receiving £2, and paying £20 16 3.

The account is attested to and certified by the Commissioner of Crown Lands. There is £1 short in the addition, it should be £40 1 3.

39 1 3

*Explanation.*—E. Burpe and H. Loder are partners, and the 5 year licence, No. 207, issued for the minimum quantity of 60 thousand feet of lumber at 3s. 6d. per thousand, on two square miles.

The account will therefore stand thus:

5 year licence for 60 thousand feet, at 3s. 6d. £10 10 0

5

52 10 0

Mileage,

2 0 0

54 10 0

Deduct expenses,

20 16 3

Profit,

£33 13 9

Carried forward, £1,011 1 11

# APPENDIX.

Brought forward, £1,011 1 11

Exclusive of excess of lumber cut in the above period, and the proceeds of a 1 year licence adjoining the lines, for which no other survey was required,

8	H. M. G. GARDEN.	£374 2 6
	Deduct for 2 miles offsets,	6 0 0
		£368 2 6

[See No. 4, 852.]

817. November 14th, 1836, surveying a 5 year licence for W. J. Bedell, and 60,000 acres on the Tobique for George F. S. Berton, and streams connected with them, 92 miles of line @ 60s. and 58½ miles of stream @ 30s. plans, field books, &c. £10 0 0.

This account is made up in a very unsatisfactory manner, containing a gross sum for two very distinct services, and by an endorsement on the account signed by the Hon. Messrs. Odell, Street and Saunders, it appears that it passed the Council upon the express understanding of the Commissioner of Crown Lands, that the particulars should be furnished and annexed to the account. These particulars are therefore required.

368 2 6

<i>Explanation.</i> —69 miles, 69 chains for G. F. S. Berton.			
2	"	30	" connexion.
5	"	8	" grant to Kirk.
12	"	66	" W. J. Bedell, 5 year licence.
90	"	13	"
58	"	60	" stream surveyed.

This duty was very satisfactorily performed though very remote and difficult, and large sums have been received in consequence.

*Reply.*—The "Particulars" here given by the Commissioner are by no means satisfactory, and are not such as in the opinion of the Board were required and contemplated by the Committee of Council.

## 9. CHARLES WHITNEY.

817. Surveying 24 miles of line, Parish of Lancaster, County St. John, between 22d August and 17th November, 1836.

36 days @ 20s.	£36 0 0
Plan,	8 0 0
6 labourers 12 days, 5s. 2d.	18 12 0
5 " 8 " 5s. 2d.	10 6 8
5 " 16 " 5s. 2d.	20 13 4
	£93 12 0

This account has the customary certificate of the Commissioner of Crown Lands, that the service was necessary and the account reasonable. It is attested to before a Magistrate, but is not signed by the party, neither is it stated for what purpose the survey was made. This is at the rate of £3 18 per mile.

93 12 0

*Explanation.*—This was a most intricate and difficult survey, and the charges are very reasonable; it was required to enable the Commissioner of Crown Lands to perform the duties of his office.

## 10. JOHN R. ROBERTS.

817. For surveying Grand River from the boundary line up and re-opening that line.

This appears a most extravagant account. The Surveyor with 4

Carried forward, £1,472 16 5

# APPENDIX.

Brought forward, £1,472 16 5

assistants and a canoeman proceeded to the work, and expended 11 days between 25th August and 6th September 1836. On the 26th September, the Surveyor states that he started *on second order of survey*, (as it would appear) to do the work over again, *not having been able to survey it regularly on the first order, owing to the depth of water and smallness of the party*. On this second survey 15 days more were expended, with the same number of assistants.

12 days travel are charged at 15s. per day, and £4 for plan, report, &c.

The account is attested to, and certified by the Commissioner of Crown Lands as necessary, satisfactorily performed and reasonable. It appears that 18½ miles were opened, and 10 miles of river surveyed, which makes the charge about £3 per mile for the whole, which is certainly most extravagant, for it must be observed that the line opened was the boundary line where no survey was necessary, and the charge for the river being just double the usual allowance, 30s.

85 10 0

*Explanation.*—The boundary line having been run 20 years ago, and grown up in bushes, it was therefore more difficult to run than a line in the woods, and the survey was necessary.

The survey of the river was most laborious, the whole party being up to their waists in water, and it is only extraordinary how much has been done at so small an expence: no work was done twice.

*Reply.*—The necessity for a re-survey of the *boundary line* ought to be explained, and also the necessity for a survey of the river at a time so unfavourable; but when it is recollected that the autumn of 1836 was *remarkable for drought*, it does appear extraordinary how this party found it necessary to *work up to their waists in water*.

## 11. ALLAN M'LEAN.

[See Nelson Arnold, Audit No. 14, 817.]

817. This account exhibits one item, surveying 43 miles of line on the Tobique at 60s., between September and November, 1836, part for Berton's purchase and part to connect that line with former surveys, and with known points on the main Tobique. In this account no specific dates are given, by which it is possible to check it with No. 14, Nelson Arnold, of which this appears to be a continuation of the same service: for this reason the account is very objectionable.

The account is attested to, but is not signed by the party; it has the usual certificate from the Commissioner of Crown Lands.

129 0 0

*Explanation.*—Mr. Nelson Arnold was taken violently ill while performing the duty with Typhus fever, was brought down the river in a canoe. Mr. M'Lean was therefore ordered to proceed to complete the work, and as all would have been useless without a continuation and connexion, it was ably done, and much to the satisfaction of the Commissioner of Crown Lands.

## 12. JOHN DAVIDSON,

[See No. 13, 817, No. 5, 825.]

817. Running 37 9-80 miles of line round the *granted and other lands* in the Poquiock and Shugomock, between 29th August and 29th October, 1836, @ 50s.

£92 15 6

Plan,

2 0 0

£94 15 6

This account is not signed. It is attested to, and has the usual certificate of the Commissioner of Crown Lands.

94 15 6

*Explanation.*—The signature to the attestation might be considered enough.

Carried forward, £1,782 1 11



# APPENDIX.

Brought forward, £1,782 1 11

*Reply.*—The Commissioner of Crown Lands is in error. To neither the account or the affidavit is Mr. Davidson's signature attached.

## 13. JOHN DAVIDSON,

[See No. 12, 817—5, 825, where a charge is made for inspections during the same period.]

817. Running 85½ miles of line at the head of the Nackawick in July, August, September and October, 1836, @ 50s. £213 15 0  
Plan, 4 0 0

£217 15 0

This survey was executed during the same period as No. 12, 817, and it certainly is extraordinary that no specific dates are given in this account, by which the Board of Audit could form any opinion upon the propriety or practicability of the Deputy Surveyor conducting two surveys at the same time. The accounts are therefore unsatisfactory. The account is not signed; it is attested to, and has the usual certificate from the Commissioner of Crown Lands.

217 15 0

*Explanation.*—The work being performed by contract, the dates would appear to be quite immaterial.

*Reply.*—The Board of Audit deem the insertion of dates, in all accounts, and for all services, most material.

## 14. NELSON ARNOLD.

[See No. 11, 817.]

817. This account is made up as follows:—

22 days surveying on the Tobique, Berton's purchase, and timber berths, from 6th to 31st August, 1836, £22 0 0  
1 chainman, 36 days, @ 10s. 18 0 0  
2 men, 41 days, @ 7s. 6d. 30 15 0  
3 " 36 " @ 7s. 6d. 40 10 0  
Proportion for return, 3 0 0

£114 5 0

This account is unsatisfactory for the same reasons as are expressed on Nos. 8 and 15, no distinction being made between surveys of Crown Lands and timber berths. It is attested to before a Commissioner of the Supreme Court, who is not authorized to take affidavits of this description; the affidavit therefore being entirely nugatory and illegal, the account is deprived of this necessary authentication, and is therefore for this reason also unsatisfactory. It has the usual certificate of the Commissioner of Crown Lands.

114 5 0

*Explanation.*—Vide remarks to No. 11. The Commissioner of Crown Lands regrets that he cannot discern any difference in running a line round a timber berth and a line round a tract of Crown Lands, and has therefore made no distinction where none exists.

Mr. Arnold was lying on a bed of sickness when he attested to his account before a Commissioner for taking affidavits in the Supreme Court, which though perhaps not so binding in law, must have been much the same to his conscience.

*Reply.*—The Board of Audit are unable to arrive at the same conclusion as the Commissioner of Crown Lands "that the same precision is necessary in surveying a timber berth as a grant," especially when (as is generally believed) very many timber berths have been satisfactorily laid off with a pocket compass. And when more regular surveys have been made the only charge against government has been 20s. per day, for the Surveyor, the party interested finding assistants.

Carried forward, £2,114 1 11

# APPENDIX.

Brought forward, £2,114 1 11

## 15. WILLIAM MAHOOD.

[See No. 12, 825.]

817. This account is made up of the following items :—

71 days surveying Crown Lands and Licences, between 29th June and 19th September, 1836, @ 20s.	£71	0	0
1 chainman from Fredericton, 74 days @ 10s.	37	0	0
5 assistants, 71 days, @ 7s. 6d.	133	2	6
Returns,	13	0	0
A survey of 250 acres for Benjamin Harding in 1835 (July),	5	0	0

£259 2 6

This account is highly objectionable, and the same exceptions would apply to it as were endorsed on H. M. G. Garden's account No. 8, 817, by the Committee of Council, two distinct services being included in one charge, and they apply the more strongly in this case, because it cannot be contended that a Deputy Surveyor at 20s., 1 chainman at 10s. and 5 others at 7s. 6d., in all 7 men, 67s. 6d. per day, are necessary to survey timber licences.

The account is attested to, and has the usual certificate of the Commissioner of Crown Lands that the service was necessary, satisfactory and reasonable.

259 2 6

*Explanation.*—Vide remarks to No. 14.

## 16. H. B. RAINSFORD.

817. For surveying the following 5 year licences, between 5th Oct. and 1st December, 1836, viz.

John G. Woodward,  
David Tapley,  
S. P. Estabrooks,  
Francis Fulton,

in all 33 miles 10 chains at 60s.

It appears that only two of the parties have taken out licence, viz. J. G. Woodward, No. 124, for 12 square miles, and S. P. Estabrooks, No. 48, for 5 square miles, the others have not taken any licence up to this period, (25th October, 1837,) nor is any credit given for mileage except for Woodward and Estabrooks, the transaction therefore with the Government stands thus: received £17 mileage, and paid £99 7 6 for surveys.

The account is attested to, and has the usual certificate from the Commissioner of Crown Lands. The Commissioner should be called upon for the same explanation as is required upon the former account No. 7, 817.

99 7 6

## 17. WILLIAM KILPATRICK.

817. For surveying a tract of land on Turtle Creek, in Westmorland, between 26th April and 18th October, 1836. An account in detail of each day's work is furnished, and summed up as follows :—

120 days, Surveyor, @ 22s. 6d.	£135	0	0
120 " to 5 assistants, @ 7s.	210	0	0
2 " to 1 assistant, @ 7s.	0	14	0

£345 14 0

The extra charge of the Surveyor of 2s. 6d. per day should be explained; the account is attested to, and certified by the Commissioner of Crown Lands. 184 miles of line are stated to have been extended, well opened and blazed; and it is worthy of remark that this survey cost 37s. 7d. per mile, although the Surveyor received 22s. 6d. per day while other surveys are charged at 60s. 65s. and 78s. per mile.

345 14 0

Carried forward, £2,818 5 11

# APPENDIX.

*Brought forward,* £2,818 5 11

*Explanation.*—The order for this survey was given when the Deputy Surveyors were allowed 22s. 6d. per diem.

The Commissioner of Crown Lands begs to explain to the Auditors that surveys will vary in expence according to the remoteness of the situation, the denseness of the forests, and the price of labour and provisions. In some situations a surveyor can run three or four miles through the woods, in other places one mile may be a hard day's work, of these matters, none but practical men can form a correct opinion.

*Reply.*—The rate of allowance to the Deputy Surveyor should have been governed by the period when the duty was performed, not by the date of the order of survey.

## 18. THOMAS O. KELEHER.

817. For surveying sundry lots in Pennfield, Charlotte, for Paul M'Donald and Alexander Wedderburn, but the time is not stated. 3 miles and 37 chains, at £3 per mile, £10 7 9. The account is attested to and certified by the Commissioner of Crown Lands.

10 7 9

## 19. BEVERLY R. JOUETT.

817. For executing an order from the Commissioner of Crown Lands for a survey on Renous River, between 14th September and 18th October, 1836.

30 days, @ 20s.	£30	0	0
Head chainman, 25 days, @ 10s.	12	10	0
Second ditto, and axemen, in all 54 days, @ 7s. 6d.	20	5	0
Plan and Report,	4	0	0
	£66	15	0

The account is attested to, and has the usual certificate from the Commissioner of Crown Lands.

66 15 0

## 20. BEVERLY R. JOUETT.

817. 33 days in October, November and December, 1835, surveying a tract of land applied for by Alexander M'Laggan, @ 22s 6d. £37 2 6 He states that assistants were furnished by Mr. M'Laggan.

The charge of 22s. 6d. per day, requires explanation. Credit is given for £25, paid by Doak and M'Laggan, for survey of their Mill reserve, the residue of the survey was for Nathaniel Mooer's 5 year licence, (No. 106—5 square miles), which the Surveyor expected Mooer to pay for, but he paid £5 into the office as mileage.

25 0 0

Balance, £12 2 6

The account is attested to, and has the usual certificate of the Commissioner of Crown Lands. This is certainly a very objectionable mode of making up the account, Messrs. Doak and M'Laggan's Mill reserve survey should not have been included.

12 2 6

*Explanation.*—The survey being all one matter of duty, was performed at the same time, and therefore a return and account of the whole was correct, but the proper deduction being made, the public can have sustained no injury, it was also the only way to render the account so as to enable the Commissioner of Crown Lands to check the account with the field book.

## 21. CHARLES WHITNEY.

817. This account is for time spent in shewing the true measurement of a test line through the tract purchased by Moses H. Perley, Esquire, run by Deputy O'Connor in 1835, made up as follows:—

*Carried forward,* £2,907 11 2

# APPENDIX.

		Brought forward,	£2,907 11 2
1836.			
	December 19, 1 day travelling,	£1 0 0	
	“ 20, 1 day <i>straightening and re-blazing O'Connor's line.</i>	1 0 0	
	“ 21, 1 day returning,	1 0 0	
	3 labourers, 3 days @ 5s. 6d.	2 9 6	
		£5 9 6	
The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.			5 9 6
1.	WILLIAM B. PHAIR, Postage.		
	824. Quarter ending 31st December, 1835,	£11 13 7	
	“ “ 31st March, 1836,	20 10 3	
	“ “ 30th June, 1836,	24 18 4	
			57 2 2
2.	JAMES A. PIERCE.		
	824. This is an account for advertising in the Gleaner, and which the Board of Audit consider a very objectionable charge, the Royal Gazette being the official paper, and has sufficient circulation for all official purposes.		4 4 0
	<i>Explanation.</i> —The following is an extract from the instructions to the Commissioner of Crown Lands from Her Majesty's Secretary of State :— “ You will give public notice in the Gazette, and in such other newspapers as may be circulating in the Province, as well as in any other manner that circumstances will admit of, of the time and place appointed for the sale of lands in each district, &c.”		
3.	GEORGE H. HARTT.		
	[See No. 15, 824.]		
	824. This is an account for printing blanks, between 1st January and 31st of May, 1836. The account is not sufficiently authenticated, the only voucher being a memorandum as follows :— “ Mr. Hartt has shown receipts for the above blanks, for the use of the office. June 1st, 1836. (Signed) “ANDREW S. INCHES.” Which the Board of Audit deem a very insufficient voucher. But the Board deem this charge highly improper upon other grounds, the work is done upon the Lithographic Press within the office, which Press cost the Government £88 5 11. The work therefore belongs strictly to the indoor establishment, for which the sum of £1,010 per annum, has been paid.		16 12 11
	<i>Explanation.</i> —The Lithographic Press belongs to the office, but the workman does not, and no allowance was ever made for a Lithographer in the indoor establishment.		
4.	THOMAS STEWART.		
	824. For three brass drawer locks in 1832 and 1833. Stated to be for drawers in the drafting room.		0 10 9
5.	EDWARD ELLIOTT.		
	824. Repairing strong room door, 9th June 1836.		0 15 0
6.	CHARLES P. SMILER.		
	824. Setting 4 squares Glass, @ 2s.		0 8 0
Carried forward,			£2,992 13 6

# APPENDIX.

		Brought forward,	£2,992 13 6
7.	W. M'FEELEY. 824. Sawing and piling 15½ cords wood, @ 2s. 9d.	2 2 7½	
8.	THOMAS SWADE. 824. Sawing and piling 4 cords wood, @ 5s.	1 0 0	
9.	H. B. RAINSFORD. 824. 16½ cords Hemlock wood, @ 10s.	8 5 0	
10.	ROBERT POWER. 824. 8 cords wood,	5 1 6	
11.	JAMES SWIM. 824. Hauling coals,	0 4 0	
12.	W. M'FEELEY. 824. Sawing, &c. 8 cords wood, @ 6s.	2 8 0	
13.	JACOB CARVELL. 824. 2 gross pencils, @ 72s.	7 4 0	
14.	JUSTIN SPAHNN. 824. Stationery between 1st October, 1834, and 15th February, 1836. This account as No. 3, is unsatisfactory, as not sufficiently vouched.	11 2 6	
<i>Explanation.</i> —The articles were necessary and the account was paid and receipted.			
15.	GEORGE H. HARTT. [See No. 3, 824.] 824. This is an account for lining plans, binding, printing blanks, &c. and is equally unsatisfactory as No. 3, and for the same reasons. There is an endorsement on the back in the hand writing of Sir Archibald Campbell, as follows :— “ If Mr. Hartt is paid on the establishment, I do conceive that nearly the whole of the charges made in the within, must strictly be considered as a part of his duty. “ A. C.” To which the Commissioner of Crown Lands adds :— “ Mr. Hartt forms no part of the establishment of the office, nor was such an officer ever contemplated or estimated for. “ T. B.” There is a charge in this account for printing blanks, during the same period as is charged in account No. 3.	22 14 0	
<i>Explanation.</i> —The work was necessary to preserve the records of the office.			
16.	FRANCIS BEVERLY. 824. Stationery between 11th November, 1835, and 24th March, 1836.	0 15 3	
17.	A. R. TRURO. 824. Stationery between 24th December, 1835, and 29th January, 1836. This account is stated as follows :— Several items amounting to £2 10 9 ½ Box Stationery, &c. per Hon. W. Odell, 5 11 3 £8 2 0 Doubloon, 3 17 6 £4 4 6 “ The above articles have been received. (Signed) “ L. W. GALL.”		
		Carried forward,	£3,053 10 4½

# APPENDIX.

	<i>Brought forward,</i>	£3,053 10 4½
The deduction of the Doubloon is not explained, and the whole amount £8 2 0 is paid. The account requires explanation.		
		8 2 0
18.	GEORGE H. HARTT.	
824.	50 Sheets Drawing Paper, @ 6d.	1 5 0
19.	B. WOLHAUPTER.	
824.	Pens and Lucifer Matches,	0 10 6
20.	R. RANKIN & Co.,	
824.	Parchment got by George H. Hartt, and certified by him to be for the use of the office,	£6 9 0
	Sundry Stationery,	2 19 3
		9 8 3
This account is not sufficiently vouched,		
<i>Explanation.</i> —The parchment was for the use of the office.		
21.	FRANCIS BEVERLY.	
824.	Stationery,	4 7 4½
This account is without any certificate or authentication whatever.		
<i>Explanation.</i> —The articles were for the use of the office.		
22.	ANTHONY STEWART.	
824.	A large Desk,	2 10 0
23.	JOSEPH GAYNOR.	
824.	A Stove for the Commissioner's Room, to replace a Coal Stove.	£5 7 5
	Paid Bain for Tinning round Stove,	0 5 6
		5 12 11
No credit is given for the Coal Stove,		
<i>Explanation.</i> —The coal stove was private property.		
24.	JAMES HALE.	
824.	6 Chairs in 1835,	1 13 0
25.	E. W. RAINSFORD.	
824.	This is an account for expenses in proceeding to Saint Andrews to obtain payment of Mr. Baillie's Check on the Saint Andrews Bank, but the authority for incurring the expence is not given,	6 0 0
<i>Explanation.</i> —For the convenience of the public, Mr. Baillie allowed money to be paid into the Charlotte County Bank instead of forwarding it by mail, the postage of which would have cost at least double the sum here charged for removing the treasure. The account was allowed in Council.		
2.	ALLAN M'LEAN.	
825.	Extending 29 miles of a line in the rear of the Maugerville and Little River Grants, south of Kilpartrick's survey at 60s. per mile. No dates are given, and it is impossible to say in what year the survey was made, nor is the purpose for which it was made stated. The account is attested to, and certified by the Commissioner of Crown Lands.	87 0 0
<i>Explanation.</i> —The survey was made in the year 1836.		
	<i>Carried forward,</i>	£3,179 19 5

# APPENDIX.

		Brought forward,	£3,179 19 5
3.	SAMUEL S. WILMOT.		
825. 31st December 1836, surveying 4 Timber berths on the Wash- ademoak River, and connecting the same with the Grant of the New Canaan Settlement,			
	9 days, @ 20s.	£9 0 0	
	1 Assistant, 6 days, @ 7s. 6d.	2 5 0	
	Returns,	1 0 0	
		£12 5 0	
The account is attested to, and certified by the Commissioner of Crown Lands.			12 5 0
4.	CHARLES I. PETERS, JUN.		
825. This is for 10 per cent. commission on sale of wild Meadows in Northumberland in 1836, £115 18 0.			11 11 9½
5.	JOHN DAVIDSON.		
	[See No. 12 & 13, 817.]		
825. Inspecting Timber between 11th March, and 30th September, 1836, 18 days, @ 20s.			£18 0 0
In this account is a charge of 3 days at <i>Presqu Isle to ascertain tres- passers on Military Reserve.</i> Here is a third account for three distinct services within the same months, viz. August and September, 1836. The account is attested to, and certified by the Commissioner of Crown Lands			18 0 0
<i>Explanation.</i> —Different services were performed on different days.			
<i>Reply.</i> —This account fully illustrates the absolute necessity of specific dates being given in all cases.			
10.	WILLIAM MAHOOD.		
825. February 8th, 1837, to compiling and drawing a plan of James Allanshaw's 5 years Licence on the Digdeguash. This is a highly ob- jectionable charge, the service clearly belonging to the indoor establish- ment. It is not attested to, but is certified by the Commissioner of Crown Lands.			3 0 0
<i>Explanation.</i> —This was a compilation from data not in the Crown Land office, and is very reasonable.			
<i>Reply.</i> —Mr. Allanshaw paid no mileage, the survey and <i>Plan</i> there- fore should have been made at his exclusive expense.			
11.	WILIAM MAHOOD.		
825. 10 per cent. commission on sale of wild Meadows in Charlotte in 1836. The date when those Meadows were sold should be given, as it will be found that Mr. Mahood has received 20s. per day, and £22 over for every working day between 29th June 1836, and 30th January 1837. The account is not attested to, but is certified by the Commis- sioner of Crown Lands.			1 11 10
<i>Explanation.</i> —The meadows were sold, the money received and carried to ac- count; the day on which the duty was done must therefore be of little consequence.			
<i>Reply.</i> —The day on which the duty was done is for the reasons stated, in the opinion of the Board essentially necessary.			
		Carried forward,	£3,227 8 0½

# APPENDIX.

Brought forward,

£3,226 8 0½

12.

## WILLIAM MAHOOD.

[See Audit, No. 15, 817, William Mahood, £259 2 6.]

825. The Board of Audit feel called to animadvert in strong terms upon this account, and the manner in which it is made up, and they refer to the observations upon Mr. Mahood's former account in this report, No. 15, under warrant 817. Here are the same charges in gross for distinct services, *Surveying Crown Lands, Timber Licences, and inspecting Timber berths*, all mixed up together. It is also to be observed that this account follows immediately upon No. 15; that ending on the 19th September, 1836, and this commencing on the 20th. This extraordinary account is stated as follows:—

95 days, self, @ 20s.	£95	0	0
1 Chain man 86 days, @ 10s.	43	0	0
Assistants 491 days, @ 7s. 6d.	184	2	6
6 different returns,	14	0	0
14 days attendance at the Crown Land Office, per order,	14	0	0

£350 2 6

Add account No. 15,

259 2 6

£609 5 0.

These two accounts embrace the period between 29th June 1836, and 30th January 1837. Mr. Mahood charges for personal services,

180 days.

Then allowing 20s. per day, for making out returns 27 days.

207 days in all,

Between the above dates there are exclusive of Sundays, 185 days.

Excess, 22 days,

or £22. Mr. Mahood has charged over and above 20s. per day for each and every working day during the whole period. The 14 days attendance at the Crown Land Office, per order, at 20s. would appear to demand some explanation. The account is attested to before Mr. Justice Minchin, on the 2d February 1837, and certified by the Commissioner of Crown Lands, to have been performed to his satisfaction, and that the service was absolutely necessary to carry on the public business,

350 2 6

*Explanation.*—The remarks applied to other observations of this nature will apply here. It only appears that Mr. Mahood has been fully employed and probably made the Plans in the evenings.

The time spent at the Crown Land Office was of much importance, as very valuable information was given to the Commissioner of Crown Lands, to enable him to perform duty which would otherwise have required additional expence in surveying.

14

## WILLIAM JOHN LAYTON.

825. This is an Account for *adjusting licences, adjusting collisions, inspecting Deals and Timber, &c.* between 24th August, and 2d October, 1835.

Upon this as upon many other accounts under this head of expenditure, the Board are unable to form any opinion of either the necessity, or value of the services rendered, the terms used being so very vague and indefinite. The first charge is for adjusting 16 different licences, 3 days at 20s., then adjusting collisions under 6 licences, 1 day at 20s. It appears extraordinary that any effectual service could have been rendered to 16 different licences by three days employment, and the collisions under 6 licences must have been very trifling indeed to have

Carried forward,

£3,576 10 6½



# APPENDIX.

Brought forward, £3,576 10 6½

been settled in one day. The Board of Audit cannot view this account in any other light than as a very unnecessary and improper charge against the Government. It has the usual certificate from the Commissioner of Crown Lands, and is attested to.

26 10 0

*Explanation.*—Had the surveys been performed which were saved by this mode of settling the working ground of different lumber parties, four times the sum would not pay them.

These things can only be understood by long acquaintance with the duties required in settling the disputes of this nature.

## 15. WILLIAM J. LAYTON.

825. This is an account for similar services to the preceding account for the period between 12th January and 31st March, 1836, and the same observations will apply to it.

It is attested, and the Commissioner's certificate is attached.

28 0 0

17.	WILLIAM J. LAYTON,	£594 10 0
	Deduct plans, &c.	20 0 0
		<hr/> £574 10 0

825. The account is stated as follows :—  
1836.

December 31st. "To surveying 176 miles of line on the great survey of the Province, between M'Lean's survey, south of the Richibucto, and "Miramichi harbour, in the Parishes of Weldford, Carleton and Glenelg, "in the Counties of Kent and Northumberland, and bounding 1,000,000 "acres in tracts or blocks of 16,000 acres and upwards, at 60s. per mile, per "agreement with the Commissioner of Crown Lands." Also 31 miles of river within the above mentioned survey, at 30s.

£574 10 0

Plans, &c. 20 0 0

---

£594 10 0

Deduct plans, &c. 20 0 0

---

£574 10 0

There is an endorsement on this account signed 'L. W. Gall, draftsman,' stating that 176 miles of line have been *well opened and blazed*, but whether this fact is derived from personal knowledge or any other authentic source is not stated : and whether the survey was executed in 1826 or 1836 is left to be conjectured, for the account is merely dated 31st December, 1836, and no other specific date appears. The affidavit too contains an unusual clause, it states that *the work so far as it depends upon Mr. Layton's own responsibility has been duly performed*, but what Mr. Layton considers the extent of his *own responsibility* is also left to conjecture.

The Board of Audit consider this a most insufficient and inadequate voucher, and especially for the expenditure of so large an amount of the public money as £574 10 0, and is therefore unsatisfactory. It is certified by the Commissioner of Crown Lands as being satisfactorily performed, and the service absolutely necessary to carry on the public business.

574 10 0

*Explanation.*—The Commissioner of Crown Lands admits that the sum of £574 10 0 has been paid for this survey, and by the returns it appears that the duty was duly performed, and as many licences have issued and no complaints of collisions been made, it is but fair to suppose that the work has been faithfully done.

The Commissioner of Crown Lands directs the lands to be surveyed so as to

Carried forward, £4,205 10 6½

# APPENDIX.

Brought forward, £4,205 10 6½

answer the purposes intended, and does not waste the public money by surveying timber lands into lots of 100 acres.

The sum received in one year for 5 year licences alone, will more than cover the cost, leaving the remaining four years as net profit to the Crown, and these licences do not cover one fourth of the land surveyed.

The order of survey only issued in 1835, which amounts to a proof that it was not surveyed before that period, and as the order was addressed to Mr. Layton it is reasonable to say that he was responsible for the due performance of the duty.

The account with the Crown will stand thus:—

Minimum yearly amount of tonnage on 5 year licences,	£786 0 0
	5
	3,930 3 0
Add mileage,	160 0 0
	4,090 0 0
Deduct survey,	574 10 0
	£3,515 10 0

Net profit, exclusive of excess to be cut in the above period, leaving also 850,000 acres still open for operation.

*Reply.*—See Charles I. Peters, Jun., account, No. 5. in another report, where under date 6th March, 1837, it is asserted that “Mr. Layton’s lines do not agree with the plan;” and in consequence of which the Government was subjected to extra expense.

By a subsequent explanation of the Commissioner of Crown Lands on the above point, it is stated that the plans here alluded to were Mr. Peters’ and not Mr. Layton’s plan.

## 19. ANTHONY LOCKWOOD.

825. Surveying Water Lots in Fredericton on the 25th, 26th and 28th Sept. 1835.

This account is attested to, and certified by the Commissioner of Crown Lands, but the charge should have been defrayed out of the proceeds of the sale of these lots.

3 10 0

## 20. JOSEPH HUNTER.

825. Timber inspection, making out returns, &c. between 28th June and 4th July, 1836. The Board are not in possession of sufficient information to give any opinion on this account, yet many of the charges appear very unnecessary. It is attested to, and certified by the Commissioner of Crown Lands.

7 0 0

*Explanation.*—None of the duty was unnecessary, and the charges are moderate.

## 21. JOSEPH HUNTER.

825. £421 19 9, amended in the Crown Land Office to £419 18 9.

This account is for surveying the rivers Restigouche and Upsalquitch, with certain brooks, &c., and sundry blocks between 29th August and 12th December, 1836. The river is charged at 30s. per mile, and the brooks and blocks at 65s. because, as is certified on the back of the account, the brooks required swamping. In other accounts where Surveyors have charged by the mile 60s. and in some instances 50s. have been charged. No reason is given why 65s. is charged here. The chief draftsman certifies that 71 miles and 17 chains of line have been *opened and blazed*, but as it cannot be presumed that this fact is within his own personal knowledge, the source from whence he derived the information should be given.

It is also to be observed, that this account is made up by the Surveyor

Carried forward, £4,216 0 6½

# APPENDIX.

Brought forward, £4,216 0 6½

himself to the amount of £407 19 9, and for this express sum alone he makes the affidavit, but the further sum of £14 for returns of the Restigouche and Upsalquitch rivers is afterwards added in another handwriting, and payment is made for the whole amount £419 18 9. The receipt is signed by Mr. F. E. Beckwith, as Attorney for Joseph Hunter, but no authority from Mr. Hunter is produced. It appears extraordinary that another survey of the Upsalquitch river should have been required, for by reference to an account current furnished by the Commissioner of Crown Lands of the "Survey Fund" for the year 1832, the following charge appears:—"Paid William M'Donald, surveying, &c. "the Upsalquitch river in March, April and May, 1832, £77 17 10½."

The Board of Audit must remark upon this account as upon No. 15, that made up, as it is, of large sums in gross, it is a very insufficient and inadequate voucher for so large an expenditure of the public revenue. It is certified by the Commissioner of Crown Lands, that the work was performed to his satisfaction, and the service absolutely necessary to carry on the public business.

419 18 9

*Explanation.*—The remarks made upon No. 17, 817 will also be applicable to this account. Certain lines defined upon the plan are stated as having been run and sworn to in the account, which lines are also traced by the draftsman to discover whether the order has been complied with, and whether the proper lines have been run and due connexions made. The oath of the Surveyor is also some evidence that the duty was done.

*Reply.*—The reasons for adding £14 for returns, &c. should be given, for as the Commissioner states at the close of this report, that *sometimes the agreement included the plans, and sometimes only the running of the lines was bargained for*, it is but reasonable to suppose that as the Deputy Surveyor did not charge for the plans, his agreement included them in the mileage.

22.	HENRY B. RAINSFORD,	£6 17 6
825.	Endorsed to be paid by Mr. Robinson,	2 15 0
		<hr/> £4 2 6

This account appears to be for a survey in which Beverley Robinson and James Taylor, Esquires, were concerned, and was performed on the 6th, 7th, 8th, 9th and 10th February, 1837, and from all that appears on the account, it was exclusively a private survey and not chargeable to the Government. It is attested to, and certified by the Commissioner of Crown Lands.

4 2 6

*Explanation.*—Mr. Beverley Robinson owns land adjoining the Crown Lands, and so much of the duty as I was of opinion was chargeable to him was deducted; the remainder was unquestionably a Crown charge.

23.	JAMES DAVIDSON.	
825.	Surveying in Gloucester between 3d September and 27th October, 1836, including £6 for plan, &c.	£87 18 0
	He charged 22s. 6d. per day, for 36 days, of which 2s. 6d. is deducted,	4 10 0
		<hr/> £83 8 0
	Deduct a sum received from Dugees, for the survey of 7 lots,	11 18 0
		<hr/> £71 10 0

This account is highly objectionable, inasmuch as it makes a general charge for *public* and *private* surveying, the deduction of £11 18 0 for

Carried forward, £4,640 1 9½

# APPENDIX.

Brought forward, £4 640 1 9½

the survey of 7 lots may be correct and proper, but the principle is decidedly bad, there is a charge also of 7 days for *surveying mill reserve*, but the name of the proprietor is not stated, and if it were, the charge cannot be a proper one against the Government.

It is believed that proprietors of mill reserves are always required to pay for their own survey, and this fact appears by B. R. Jouett's account, No. 20, 817, where Doak and M'Laggan pay £25 for the survey of their mill reserve, for these reasons the account is entirely unsatisfactory. It is attested to, and has the usual certificate of the Commissioner of Crown Lands.

71 10 0

*Explanation.*—The mill site and reserve of twelve square miles were sold together at auction subsequently to the survey, and brought the sum of £69 5 0; the charge was therefore strictly against the Crown.

Doak and M'Laggan's reserve was under very different circumstances.

## 24. SAMUEL S. WILMOT.

1836.

825. December 30. To surveying 44,000 acres of land between the Coverdale river and south branch of Salmon river, Parish of Salisbury, County of Westmorland, under an order of survey, dated 8th October, 1835.

77 miles and 60 chains actually extended, actually employed 41 days, @ 20s.	£41 0 0
6 assissants, 41 days, @ 7s. 6d.,	92 5 0
Returns,	4 0 0
	<hr/> £137 5 0

The account is attested to, and has the usual certificate of the Commissioner of Crown Lands; but no specific dates are given. It is to be remarked that in all cases where lines have been extended by the mile, the general rate has been £3 per mile, and by that rule this survey would have cost £233 5 0. But it appears to have cost but a trifle over £1 15 0 per mile, yet it has the usual certificate of being properly and satisfactorily performed, Trees marked, &c. As there is no explanation why so great a difference should occur in the expense, it may be presumed that the charge of £3 per mile is too high.

137 5 0

*Explanation.*—Vide remarks to No. 17, 817.

## 26. JOHN COLLING.

825. Between 16th and 26th December, 1836, surveying the Gasperaux river, and *ascertaining the trespass by Hutchinson on Fowler.*

9 days,	£9 0 0
3 Assistants, 9 days, @ 7s. 6d.,	10 2 6
2 days making plan, &c.,	2 0 0
	<hr/> £21 2 6

No information is given as to the nature of this trespass, or whether any trespass existed in fact: the account is therefore unsatisfactory. It is attested to, and has the usual certificate from the Commissioner of Crown Lands.

21 2 6

*Explanation.*—The survey of the river was very necessary, and it was the duty of the Commissioner of Crown Lands to survey the land agreeably to his instructions.

## 27. MICHAEL HARLEY.

825. For surveying in Gloucester, in 1836, between Big Belledune

E Carried forward, £4,869 19 3½

# APPENDIX.

	<i>Brought forward,</i>	£4,869	19	3½
and Point Le Nem, on the southerly side of the Restigouche river, 33 blocks, 132,000 acres, in all 130½ miles, @ 60s.	£392	5	0	
Return of survey,	5	0	0	

£397 5 0

No specific dates are given, and this is all the information afforded for the expenditure of so large a sum out of the public revenue. The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.

397 5 0

## 29. ANDREW BLAIR.

825. To surveying a tract of land for 5 year leases in the County of Carleton on the east side of the river Saint John, between 25th June, 1836 and 1st January, 1837.

200½ miles of line, @ 60s.,	£601	10	0
26½ miles of stream, @ 30s.,	40	2	6
Plan,	6	0	0
	£647	12	6

The Surveyor states that in consequence of the late heavy rains, and breaking up of the streams he was unable to complete their survey as ordered, but would proceed to accomplish the work as soon as the ice would permit. This is all the information afforded for this heavy expense. The account is attested to, and has the usual certificate of the Commissioner of Crown Lands. It would appear to require some explanation, why so heavy an expense was incurred for the survey of "Lands for 5 year leases" exclusively.

647 12 6

*Explanation.*—The account No. 15, 187, is objected to, because different services are included in it.

This appears unsatisfactory, because it is stated as being exclusively for 5 year licences.

## 30. SAMUEL FAIRWEATHER.

825. This account is stated as follows, without any specific dates:—

To surveying a tract of land in blocks of 16,000 acres each, on the south side of the south west branch of Miramichi river, and south of the old portage road.

275 miles @ £3,	£825	0	0
41 " of stream, @ 30s.	61	10	0
1 large and 3 small plans,	12	0	0
	£898	10	0

1836.

November. To expenses incurred in the execution of your orders, dated 10th November, 1836, relative to complaint of Robert Wasson. 3 days travelling to and from the ground on Muzeroll's brook, and making the necessary arrangement with the parties.

3 0 0

£901 10 0

A deduction is made for extending 29½ miles of 5 year leases for Mr. Cunard and persons connected with him, at £3 per mile. This amounts to £88 10 0, but without any explanation £101 10 0 is deducted.

101 10 0

£800 0 0

The manner in which this large account is made up is highly objec-

*Carried forward,* £5,914 16 9½

# APPENDIX.

Brought forward, £5,914 16 9½

tionable. Public and private surveys are very improperly mixed up together, and it is very remarkable that Mr. Cunard should have paid at so high a rate as £3 per mile for 5 year leases, besides the unexplained excess of £13. The two accounts are attested to, and the first has the Commissioner's usual certificate, but no explanation is given of the nature of the *complaint of Robert Wasson*.

The Board of Audit cannot pass from this account without stating it as their opinion that more full and satisfactory information should be called for.

800 0 0

*Explanation.*—Twenty nine miles and a half was first considered as the distance chargeable against Mr. Cunard, but on more particular inspection it was ascertained that 33 miles and 5-6 had been actually run for his licences, which makes the deduction of £101 10 0 correct.

## 1. WILLIAM B. PHAIR.

826. Postage between 24th June and 30th Sept., 1836, £35 4 8  
Ditto between 30th Sept., and 24th Dec., 1836, 26 3 10

61 8 6

## 2. JOHN SIMPSON.

826. Printing, and advertising in Royal Gazette, between 5th August, 1835, and 23d November, 1836.

22 12 9

## 3. FRANCIS BEVERLEY.

826. Stationery, &c., between 11th July, 1836, and 19th December, 1836.

13 18 6

## 4. FRANCIS E. BECKWITH.

826. Stationery, &c., between 28th December, 1835, and 23d November, 1836.

26 16 4

## 4. JOHN M'MILLAN.

826. Stationery, 30th September, 1836.

1 0 3

## 6. JOHN M'MILLAN.

826. Stationery, between 16th November, 1835, and 15th April, 1836.

12 4 3

## 7. JUSTIN SPAHNN.

826. Stationery, &c., between 25th May and 5th November, 1836.

5 11 3

## 8. A. R. TRURO.

826. Stationery, between 27th May and 3d October, 1836.

19 16 11

## 9. A. R. TRURO.

826. Stationery on 12th October, 1836.

This is a very large account, especially when considered in connexion with the numerous other accounts for stationery in 1836, amounting in the aggregate to upwards of £546. The charges appear made at a very high rate; it would have been more satisfactory if the articles had been charged at the sterling cost and a fair advance added. As it stands the account is by no means satisfactory.

206 10 9

*Explanation.*—In an office where so much business is transacted, much stationery is required, and the fact that more grants have passed in the last three years than in the previous seven years is answer enough.

Carried forward, £7,084 16 3½

# APPENDIX.

		<i>Brought forward,</i>	£7,084 16 3½
10	GEORGE N. SMITH.		
	826. Advertising between 23d July, 1835, and 16th June, 1836.		
	This account, like those of L. W. Durant & Co. and James A. Pierce, is inadmissible, the Royal Gazette being the only official paper recognized within the Province.		2 3 6
	<i>Explanation.</i> —Vide remarks to account, No. 2, 824.		
11.	WILLIAM MOORE.		
	826. Stoves, &c.		0 6 0
12.	THOMAS SWADE.		
	826. Cutting and splitting wood, 30th November, 1836. Quantity not stated.		3 0 0
14.	EDWARD W. RAINSFORD. Contingent.		
	826. Clerk hire 4½ months, @ £60 per annum, to 31st December 1836,		22 10 0
15.	JOHN G. RUEL. Ditto.		
	826. 4 months, 25 days, @ £60, to 31st December, 1836.		24 3 4
16.	ANDREW PHAIR. Ditto.		
	826. No particulars, in full to 31st December, 1836.		29 13 4
17.	ADOLPHUS HARTT. Ditto.		
	826. No particulars, in full to 31st December, 1836.		24 0 0
18.	JOHN R. ROBERTS. Ditto.		
	826. Preparing grants, to 31st December, 1836.		30 12 0
19.	R. T. EDGHILL. Ditto.		
	826. Preparing grants, to 31st December, 1836.		3 10 0
20.	JOSEPH MUSHRALL. Ditto.		
	826. Preparing grants, to 31st December, 1836.		3 5 0
<p>The seven foregoing charges are stated to be "Contingent Clerk hire in the Crown Land Office, to transact the extra duty arising from the great pressure of public business, between 1st January and 31st December, 1836," and the following certificate is also affixed.</p> <p>"I certify and declare that the above extra assistance was absolutely necessary in consequence of the great increase in the public business, and without it the public must have suffered materially from the delays which would consequently have taken place in the passing of Grants and Licences.</p> <p>(Signed) "THOMAS BAILLIE, C. C. L.  <i>"Crown Land Office, Fredericton, 4th January, 1837."</i></p> <p>"Approved, under the peculiar circumstances of the case.  (Signed) "ARCHIBALD CAMPBELL, Lt. Gov."</p>			
1.	W. B. PHAIR.		
	848. Postage, 1st January to 31st March, 1837.		37 9 7
2.	JOHN M'MILLAN.		
	848. 10th June, 1837, Stationery,		2 10 0
		<i>Carried forward,</i>	£7,267 19 0½

# APPENDIX.

		<i>Brought forward,</i>	£7,267	19	0½
3.	C. H. BELCHER.				
848.	25th March, 1837, Stationery. 5 quires Imperial paper, faint lines, 12s. 6d.		3	2	6
4.	GEORGE H. HARTT.				
848.	1837, lining and binding 35 plans, @ 3s. 6d.		6	2	6
5.	GEORGE H. HARTT.				
848.	From 11th February, 1837. Lining and binding 13 plans, @ 3s. 6d.	£2	5	6	
	To binding 60 quires super royal paper into 11 books, and making alphabet to each Book for returns of surveys upon which public records have issued, arranging and pasting 647 returns into said books, and preparing indexes for the same.	21	10	0	
		£23	15	6	
	A very considerable portion of these charges are clearly belonging to the indoor establishment, and the account is too indefinite and general.		23	15	6
	<i>Explanation.</i> —These records are very important to the public, and could only be preserved by binding them up into books; what part of book binding belongs to the indoor establishment is not stated.				
6.	ARCHIBALD CHARTERS.				
848.	12 cords wood, @ 14s., 15th March, 1837.		8	8	0
7.	EDWARD W. RAINSFORD.				
848.	12 cords wood, @ 9s. 11d., 31st March, 1837.		5	19	0
8.	EDWARD W. RAINSFORD.				
848.	Contingent Clerk hire, 3 months, to 31st March, 1837.		15	0	0
9.	J. G. RUEL.				
848.	Same.		15	0	0
10.	A. S. PHAIR.				
848.	Same.		10	0	0
11.	ADOLPHUS HARTT				
848.	Same, 2 months.		6	0	0
12.	JOSEPH MUSHRALL.				
848.	Same, 3 months.		10	0	0
13.	HON. THOMAS BAILLIE.				
848.	For travelling expences to and from Halifax, between 18th and 30th March, 1837, to obtain from the Surveyor General of that Province, a number of documents relating to grants of Land in New Brunswick, passed previous to the separation of the Provinces, which documents were required as enabling him to carry on the duties of his office in a satisfactory manner.		21	0	0
	<i>Warrant No. 849—£9 19 0.</i>				
	There appears by minute of Council, 22d March, 1834, to have been a dispute between the Honorable James Allanshaw and Charles Carson, respecting some lumber cut on Carson's land, the duty on which is ordered to be returned to him (Carson). Deputy Allan reported that Mr. Allanshaw cut on the above land in the winter of 1833-4, 43 thousand				
		<i>Carried forward,</i>	£7,392	6	6½



# APPENDIX.

Brought forward, £7,392 6 6½

feet of spruce lumber, 3s. and 20 thousand feet of Pine, 3s. 6d., which amount is accordingly returned to Carson.

9 19 0

*Explanation.*—Quite correct. Mr. Allanshaw paid the Crown for timber which belonged to a private individual, which money the Crown now returns to the party to whom the timber properly belonged.

## 1. MICHAEL WHITE.

847. This account is made up as follows:—

" Copying the undermentioned accounts for the Legislature.	
" An account of Timber and Logs licenced, containing 181 folios,	
" @ 1s. per folio,	£9 1 0
" An account of Lands sold, and of timber licenced, 160 folios, @ 1s.,	8 0 0
" An account of timber and logs licenced, and lands leased 100 folio, @ 1s.	5 0 0
" An account of payments to Surveyors,	0 4 0
" An account of the indoor expenses of the Crown Land Office,	0 2 0
" An account of fees and contingencies of the Crown Land Office,	0 6 0
	<hr/>
	£22 13 0."

Upon this account, as upon No. 2 and 4, the Board of Audit can come to but one conclusion, that they are absolutely inadmissible upon several grounds. In the first place, upon principle, for it would be a dangerous precedent to establish that a public officer with a large salary and liberal allowance for Clerks, should be allowed to charge for *copying*, the proper accounts to be rendered in virtue of his office. Secondly, the accounts are not attested to, or certified in any way whatever, and it is possible that in the computation of the folios, every figure may be counted for a word. Thirdly, the charge of 1s. per folio, for *copying* is grossly extravagant. By the ordinance of fees established in the Province, and also by an Act of Assembly, 1s. per folio is allowed for drawing original papers, records, &c., but by reference to page 7 of that ordinance, it will be found that the allowance to an attorney of the Supreme Court for "copies on paper every 100 words" is sixpence, which is just half the sum charged in these accounts. The Board have not been enabled to check any of these charges with the copies said to be made.

22 13 0

Upon a schedule of these accounts the late Lieutenant Governor made the following endorsement:—

" Under the particular circumstances of the sudden order to prepare the accounts herein specified, I approve of a warrant to issue.

" A. C."

*Explanation.*—The ordinance of fees established by the Lieut. Governor in Council on 10th June, 1803, for the Surveyor General's office, directs "for copying all descriptions of official papers for every one hundred words one shilling," and it is understood that a figure is reckoned as a word.

of The accounts here alluded to form no part of the ordinary duty of the Commissioner Crown Lands, or no charge would have been made, but are strictly Parliamentary papers which are always considered as extra work, and extra hands must be employed to prepare them. If this principle could be broken down a public officer could be ruined by a demand for copies of all documents in his office, which would take years to prepare.

## 2. JOHN R. ROBERTS.

847. "To copying the undermentioned accounts prepared for the Legislature.

Carried forward, £7,424 18 6½

# APPENDIX.

	<i>Brought forward,</i>	£7,424 18 6½
" An account of timber and logs licenced, containing 140 folios, @ 1s. per folio,	£7 0 0	
" The land docket for the year, 1836, containing 120 folios, @ 1s.,	6 0 0	
" An account of land and timber, 160 folios, @ 1s.,	8 0 0	
" Making two separate accounts of the above,	8 0 0	
" An account of timber and logs licenced, 130 folios, @ 1s.,	6 10 0	
" An account of payments to Surveyors in triplicate, 4 folios each, @ 1s.,	0 12 0	
" An account of the indoor expenses of the Crown Land Office in duplicate, 2 folios each, @ 1s.,	0 4 0	
" An account of fees and contingencies of the Crown Land Office, in triplicate, averaging 6 folios each, @ 1s.,	0 18 0	
" An account of instalments and deposits received in the Crown Land Office in the year, 1832, 24 folios, @ 1s.,	1 4 0	
" The timber dockets for the months of October, November and December, 1836, 60 folios, @ 1s.,	3 0 0	
" An account of particulars of all receipts paid into the Crown Land Office in the year 1831, 6 folios, @ 1s.	0 6 0	
" An account of timber seized in duplicate, 1 folio each, @ 1s.,	0 2 0	
" An account of Lands leased, 1 folio,	0 1 0	
	£41 17 0	

See observations to the preceding account, No. 1. The Board have checked some of these charges with the copies, and find that the first item charged as 140 folios, at 1s., £7 0 0, actually contains 8,938 *words* and *figures*, or 90 folios, £4 10 0, the second item charged, 120 folios, at 1s., £6 0 0, actually contains 72 folios, £3 12 0.

41 17 0

*Explanation.*—The Commissioner of Crown Lands admits that he did not count the folios, and therefore cannot say whether these remarks of the Auditor's are or are not correct, but the person who made the copies declares that the folios have not been fairly counted.

## 3. R. T. EDGHILL.

847. "1837. To making in duplicate of the land docket for the year 1831, (for the House of Assembly), being 40 sheets in all, and containing on an average, (allowing for the time necessary to calculate the price per acre on each lot, and for the ruling in red ink of each sheet, and otherwise preparing them), 5 folios per sheet, @ 1s. per folio." £10 0 0  
 " Ditto for the year 1832, 42 sheets in all." 10 10 0  
 £20 10 0

This account if possible, is more objectionable than Nos. 1, 2 and 4, for those have at least the merit of being explicit, which this has not. The sheets are *averaged* at *five* folios including the "time necessary to calculate the price per acre, on each lot, and for the ruling in red ink, and otherwise preparing them." The averaging sheets is rather an unusual mode of computation, and the only inference to be drawn is that the sheets did not contain 5 folios each. But in point of fact the docket for 1831 contains 1619 words and 3845 figures, total 5564, being an average of 279 words and figures per sheet, @ 1s. per folio, £2 15 8

Same for duplicate,

2 15 8

The docket for 1832, contains 1693 words and 4200 figures, total 5893, being an average of 281 words and figures per sheet, @ 1s. per folio,

2 19 0

Same for duplicate,

2 19 0

£11 9 4

*Carried forward,*

£7,466 15 6½

# APPENDIX.

	<i>Brought forward,</i>	£11 9 4	£7,466 15 6½
Paid Mr. Edghill,		20 10 0	
Excess,		£9 0 8	20 10 0

*Explanation.*—As preceding Account.

## 4. ARTHUR PILLEAU.

847. "To preparing in duplicate an account of the timber docket  
for the year 1834, for the House of Assembly and Legislative Coun-  
cil, containing in all 344 folios, @ 1s. per folio, £17 4 0  
"21st April, 1837."

See observations on account No. 1.

It is also to be observed with regard to this account, that Mr. Pilleau was on the indoor establishment to 31st March, 1837, at £110 per annum; this account increases his salary very suddenly to upwards of £300 per annum.

17 4 0

*Explanation.*—Mr. Pilleau did not perform the work in office hours, and it has therefore nothing to do with his salary, but in fact the work was done after the 31st March.

*Reply.*—The Board were fully aware that this work was done between 1st and 21st April, when Mr. Pilleau was not on the indoor establishment; what the Commissioner means therefore by stating the work to have been performed *out of office hours*, the Board are unable to comprehend.

## 5. WILLIAM H. GALL.

847. "Attendance at the Crown Land Office, for the purpose of preparing statements of accounts for the two Branches of the Legislature of New Brunswick; arranging the same in conformity with instructions from the Right Hon. Lord Glenelg, transcribing one copy for the first three quarters of 1236, one copy for the year 1831, one copy for 1832, three copies for 1833, and for superintending the copies transcribed by other persons, from 14th November, 1836, to 31st March, 1837, 118 days, @ 25s, £147 10 0."

Although this account is large, and very questionable whether it be a proper charge against the Government, yet the Board of Audit believe that Mr. Gall devoted himself assiduously to the service, and they feel it a duty to state that such accounts as have proceeded from Mr. Gall are made up in a clear, methodical and masterly manner.

147 10 0

*Explanation.*—The usual charge for an able Accountant in England is a guinea a day to three guineas, according to the services required.

## 1. JOSEPH HUNTER.

852. This is an account for sundry services between 28th January and 24th March, 1837, and requires explanation. The first charge is for "time in going to seize 60 tons timber, 20s."

"10th March. Time in going from Dalhousie to Campbelltown with a view of proceeding up the Restigouche, to extend the line of Donald M'Leod's licence, £2 0 0."

It is evident that no such survey was made, and no reason is given for this most unnecessary travel, nor for so large a sum as £2 for going from Dalhousie to Campbelltown, about 20 miles, for on the 13th March, (the 12th being Sunday), he is still at Campbelltown, proceeds upwards and expends 11 days, with an assistant 10 days at 5s. in inspecting timber, &c. The last charge is "time in making out the accompanying

*Carried forward,* £7,651 19 6½

# APPENDIX.

		Brought forward,	£7,651 19 6½
“ journal, report and <i>this account</i> , 20s.” The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.			17 10 0
<i>Explanation.</i> —Mr. Hunter went with the intention of making the survey as stated, but on meeting the party, ascertained that he did not require it, and therefore saved further expense on that head, but performed other duties required of him.			
2.	GEORGE F. PLAYFORD.		
852. Between 22d and 31st March, 1837, 9 days personal service, at 20s., and one day making plan and report, extending lines between leases on the Oromocto, inspecting timber, adjusting disputes, &c. One Sunday is included in this charge. The account is attested to, and certified by the Commissioner of Crown Lands.			10 0 0
3.	JAMES A. MACLAUHLAN.		
852. March 1837. 19 days personal service, employed inspecting timber on the Saint John, Little, Salmon and Tobique rivers, and also ascertaining what persons have cut timber under 5 year leases and 1 year licences, @ 20s. per day,		£19 0 0	
1 day making report,		1 0 0	
1 man employed 19 days, @ 7s. 6d.,		7 2 6	
		£27 2 6	
The employment of an assistant except for special purposes, as canoe-man, &c., is not an usual charge in this service, and no information is given of the nature of the duty performed by this assistant.			27 2 6
4.	H. M. G. GARDEN.		
852. Between 12th June and 24th December, 1836, 20 days surveying and inspecting timber berths, @ 20s.,		£20 0 0	
Assistants in surveying,		9 15 0	
Plans, reports, &c.		3 5 0	
		£33 0 0	
This service was performed during the same period as another account of Mr. Garden's mentioned in this report, No. 8,817, amounting to £368 2 6; and no specific dates are given in either. Hence arises a serious difficulty in auditing the accounts, and they are therefore unsatisfactory. This is attested to, and has the usual certificate of the Commissioner of Crown Lands.			33 0 0
<i>Explanation.</i> —From the necessity of making the surveys with all expedition, Mr. Garden was allowed an assistant, which will account for the apparent discrepancy.			
<i>Reply.</i> —Quere. Was the <i>assistant</i> charged for at 20s. per day? the account is made up in such a manner as to deprive the Board of the power of ascertaining if so great an irregularity exists.			
5.	H. M. G. GARDEN.		
852. Between 24th Dec. 1835 and 12th June, 1836, 88 days surveying timber berths, inspecting timber and lumber, &c., @ 20s.,		£88 0 0	
Assistants in surveying,		18 0 0	
		£106 0 0	
The same objection as is made in the preceding account lies against this—the absence of any specific dates. But there is a more serious one. In the preceding account is a charge “for surveying 5 year licences for David Phillips, Peter Watson and Charles Perley, on Ee <sup>l</sup> river.”			
		G	Carried forward, £7,739 12 0½

# APPENDIX.

*Brought forward,*

£7,739 12 0½

In this account, "for surveying two five year licences for David Phillips, one on Eel river and one on the Nackawicac." David Phillips has but one 5 year lease on Eel river, and therefore a charge for surveying it has been made twice, but it is impossible to say to what extent, as the accounts furnish no particulars.

The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.

106 0 0

*Explanation.*—Mr. Garden performed part of the work as rendered in the other account, but was obliged to quit the woods on account of the season breaking up; he subsequently completed the work, but the charge is not twice made for the same work.

*Reply.*—Here again the absolute necessity of dates is completely illustrated.

835. Commissioner's salary for quarter, ending 31st March, 1837, £504 16 1

841. Allowance for indoor establishment, same period, 252 10 0

757 6 1

Total,

£8,602 18 1½

The Board of Audit feel it to be their imperative duty to make some observations on the general character of the accounts herein reported upon. And among the causes which, in their opinion, render them generally unsatisfactory, the following are the most prominent:—

First. The expenditure of very large sums for surveys, &c., which in the absence of any information to the contrary, appear to produce a very inadequate return of benefit to the country.

*Explanation.*—From whence then was a revenue of £47,000 collected in 1836; £16,000 of which was for timber alone?

Secondly. The total absence of all under vouchers, for payment of large sums to axemen, chainmen, assistants, &c., and the want of the names of those persons.

*Explanation.*—The under vouchers were never asked for, nor the names of the chainmen, &c. required before, nor could they in all cases be given, nor would they aid the Auditors in the performance of their duty.

Thirdly. The general want of specific dates, information so essential to a proper audit, and at the same time so easy to be afforded.

*Explanation.*—The dates were considered quite unnecessary where the work was done by contract.

Fourthly. The blending in one account, and frequently in the same item of charge, public and private surveying.

*Explanation.*—This is the only way in which the accounts should be rendered; to enable the Commissioner of Crown Lands to check them with the returns and warrants.

Fifthly. The making the same rate of charge for surveying timber berths, leases, &c., as for the more important surveys for grants.

*Explanation.*—The same duty is required, and performed in both cases.

*Reply.*—See James Davidson's account, No. 4, 817, and many others, where 20s. per day only is charged for timber berths. See Wm. Mahood's account, No. 15, 817, where 67s. 6d. per day is charged for the same services.

Sixthly. The remarkable difference in the expense in some instances, when surveyed by the day, or by the mile.

*Explanation.*

## APPENDIX.

*Explanation.*—As long as the price of labour and provisions, and the face of the country vary, so long will the price of surveys.

Seventhly. The large sums paid for plans, reports, field books, &c., especially when the survey is charged by the mile, for by reference to No. 16, 817, it will be found that the £3 per mile includes the plan, &c. By reference also to No. 2, 825, £3 per mile is charged, but nothing for plan, and the Commissioner certifies it to be “agreeably to contract.”

In Mr. J. W. Layton's large account too, the charge of £20 for plans, &c., is struck out and disallowed in Council. Yet large sums have been paid to other persons for the same service.

*Explanation.*—Sometimes the agreement included the plans, and sometimes only the running of the lines was bargained for.

It is due also to the late Office of Audit to state, that most of the accounts never came into that office, but were referred direct to Council, where they were, as it is termed, “audited in Council,” finally passed, and payment ordered.

*Explanation.*—It is due to the Commissioner of Crown Lands to state, that these accounts were laid before the Executive Council, and allowed as audited, the several accounts having been in the Auditor's hands as a member of that Council before they were so allowed, and passed by the highest authority, and this would therefore appear as a resuscitation of matter which had been once arranged, in order to enable the Auditors to make the observations which here appear.

F. P. ROBINSON.  
H. G. CLOPPER.

*Office of Audit, 25th October, 1837.*

## REPORT

*On sundry Accounts of expenses incurred in the Crown Land Department, made up by the Commissioner to 18th October, 1837.*

No. 1.

THE following are the Vouchers accompanying the account of the Commissioner and Surveyer General for the disbursements in discharge of his duties, amounting to £1,709 2 11.

1. H. M. G. GARDEN—Inspecting and surveying Timber, £32 11 9. This account commences in February, 1836, and ends on the 7th June, 1837. The principal item is a survey of certain Lots in the Williamstown Settlement, under an order from the Surveyer General, charged 5 miles and 65 chains, at 60s., £17 8 9, but amended in the Crown Land Office to £16 11 9. This cannot be a proper charge against the Government, indeed it appears on the face of the account that a part was a private survey, and the residue dividing Licences from granted and located Lands. The other charges are sixteen separate sums of one pound each. Many of these are for settling disputes, surveys for individuals, travelling and returning home, and appear rather of a private nature, than proper charges against the Government. The account is attested to before Justice Emerson, and certified by the Commissioner of Crown Lands.

2. ANDREW BLAIR—£28 0 0. Connecting Mahood's survey near the south branch of Oromocto, with other tracts on that stream and Back Creek, but the authority under which this service was performed is not stated. The names of the five chain men to whom £16 is stated to be due are not given, information which the Board of Audit deem essentially necessary in all cases. The account is attested to before the Honorable Justice Saunders, and certified by the Commissioner of Crown Lands.

3. JOSEPH HUNTER—£91 11 6, amended to £88 16 6. For survey of Timber berths and inspecting Timber agreeably to the general instructions of Deputy Commissioners circular of 2d May, 1836, and special order of 25th February, 1837. The service commences on 25th March, 1837, and ends on the 24th June. In this account 14 days at 20s. are charged as it would appear to settle a dispute between Ritchie and McLeod, and after 11 days travelling and surveying a timber road, the Deputy Commissioner

## APPENDIX.

missioner was enabled to arrive at the conclusion that Mr. Ritchie had committed no trespass on Mr. M'Leod. Three days at 20s. were also charged for separating licences from granted Lands. It is surely incumbent on the owners of the granted Lands to protect their own property. 15th and 16th May, 2 days at 20s. are charged *arranging with sundry Merchants*. The same observation applies to 7th, 8th, 12th and 20th June. Charges are also made for assistants, 5 days, at 5s.

es are also made for assistants, 5 days, at 5s.	£1	5	0
“ 15 “ 5s. 6d.	4	2	6
2 Indians, 19 “ 11s.	10	9	0
Report and Returns,	2	0	0

The names of assistants are not given. The account is attested to before Harvey Adams, J. P., and certified by the Commissioner of Crown Lands.

4. REUBEN STILES—£30 5 0. For ascertaining a list of squatters in the County of Westmorland and part of Saint John, and Kings. Between 21st February and 15th March, 1837, 20 days are charged at 20s. and their *expenses travelling and hiring men to collect lists*, £9 5 0, Report 20s. These latter charges amounting to £10 5 0 require explanation. The account is attested to and certified.

5. NELSON ARNOLD—£27 0 0, reduced to £25 0 0. For inspecting Timber and Lumber in the County of Westmorland, between 21st March, and 13th May, 1837. This account contains so little information, that it is impossible to give any opinion upon it. The services performed appear of very trifling benefit to the public, and there are several charges of twenty shillings each for taking bonds, affidavits, &c. The account is attested to before John C. Vail, J. P. and certified by the Commissioner of Crown Lands.

6. THOMAS O. KELEHER—£15 5 0. For surveys performed between the 24th and 29th August, 1835, and on the 8th and 9th May, 1837. In the absence of any explanation, this account appears very objectionable, but as it is endorsed by the Commissioner of Crown Lands as having been approved of by His Excellency Sir John Harvey, the Board make no observations on it. The account is attested to before Thomas Harding, J. P.

7. JACOB ALLAN—102 7 6. For inspections on the Scoodic River and Lakes, Carroose and Digdeguash, and for inspecting Rafts at Spring Hill and Indian Town between 17th March and 1st August, 1837. This account is for daily pay at 20s., and includes payment to Robert Morrison for 15 days, at 8s. 6d., assistance in going through the woods and on the Lakes, and £9 paid for boats at Saint John. In this account charge is made for three Sundays. The account is attested to before A. S. Carman, J. P. and certified by the Commissioner of Crown Lands.

8. JACOB ALLEN—£54 3 0. This account is for a survey for the Rev. S. Thompson in March 1836—3 days survey and 2 days travel, £5, and for travel and survey in May 1837 on the Musquash and Scoodic Lakes, 16 days, at 20s; also 6 men on this last service, 13 days, at 8s. 6d., £33 3 0. The names of the men are required and ought to be furnished in all cases. There is an error in this account of 4 days, at 20s., £4. In the preceding account, No. 7, the time is charged from 24th May to 1st August, 59 days, and in this account a charge is made from 8th to 27th May, both days inclusive, thus charging twice for the 24th, 25th, 26th and 27th May. This account is attested to before A. S. Carman, Esquire, J. P. and certified by the Commissioner of Crown Lands.

The discrepancy in the date is stated to be a clerical error, and is amended on the account.

The charge of £5 for the Rev. S. Thompson's survey is struck out by the Commissioner of Crown Lands, as on further information he is of opinion the party concerned should pay—making the amount £49 3s.

9. W. J. LAYTON—2 13 8. There are two accounts for 10 per cent. commission on sale of wild meadows; the one 1st October, 1835, 15s. 4d. and the other 1st June, 1837, 38s. 4d. These accounts are neither signed by the party, attested to, nor certified.

10. W. J. LAYTON. This is a letter from Mr. Layton to the Commissioner of Crown Lands, dated Fredericton, 21st July, 1837, requesting payment for making plans of his  
great

## APPENDIX.

great survey in 1836—and certified by the Commissioner for £20, as a reasonable sum. The account for this survey, amounting to £594 10s. composed of the following items,

176 miles of line, at 60s.	£528	0	0
31     "     of River, at 30s.	46	10	0
Plans, Field Books, &c.	20	0	0

£594 10 0

was laid before Council 16th March, 1837; the charge of £20 for plans, &c. was disallowed and struck out, the account passed for £574 10s. and Mr. Layton received payment 3d April, 1837, through his agent, Mr. F. E. Beckwith.

11. ISAAC W. JOUETT—£66 15 0. For surveying 60 lots of ungranted land on the new road from Fredericton to Saint Andrews, for the location of English and other Emigrants, between 28th July and 2d September, 1837. In this account are charged for

Personal services,	£21	0	0
A competent chainman, 19 days, at 10s.	9	10	0
4 other assistants, 19 days, at 7s. 6d.	28	10	0
1     "     15     "     at 5s.	3	15	0
Two plans, field book and report,	4	0	0

£66 15 0

The names of the assistants are in this as in all other cases to be furnished. The account is attested to before the Honorable Mr. Justice Saunders, and certified by the Commissioner of Crown Lands.

12. CHARLES J. PETERS, JUN.	£1,326 8 0
Deduction in Crown Land Office,	4 7 6

£1,322 0 6

Deduct this sum chargeable to the Honorable Joseph Cunard for extending 26½ miles of boundary for his five year leases,	78 15 0
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£1,243 5 6

This is composed of six different accounts during the years 1835, 1836 and 1837, and as many of the charges appear to be for settling disputes of a private nature, proceeding to different places under the direction of Mr. Cunard, settling with private individuals, &c. &c., the Board of Audit do not feel themselves enabled to make any report upon them until they shall be furnished with instructions as to what items and services are proper charges against the Government.

### No. 2.

The following are the Vouchers accompanying the accounts of the Commissioner and Surveyor General for sundry disbursements in discharge of his duties, contingent account, amounting to £784 18 7½.

13. J. G. HARDING, 2 Despatch Boxes, £2 4 0.

14. F. BEVERLY, Stationery—£25 9 6. This account is not certified, and the Board of Audit have no means of judging of its accuracy. In the general account rendered by the Commissioner of Crown Lands for the period between 1st January and 30th June, 1837, twenty one accounts are included for Stationery, amounting to upwards of £389.

15. R. RANKIN & Co.—Stationery, £1 14 9. Same observations as No. 14.

16. SAMUEL AKERLEY—Stationery, £0 14 2. Same observations as No. 14.

17. A. R. TRURO—Stationery, £17 1 2. Same observations as No. 14.

18. C. H. BELCHER—Stationery, £47 7 6. Same observations as No. 14.

19. J. SAMUELS—Stationery, £3 12 0. This account is certified by A. S. Inches.

20. L. W. DURANT & Co.—Advertising, £7 6 5  
Stationery, 61 10 0

£68 16 5

The Board consider the charge for advertising altogether inadmissible. The Royal Gazette



# APPENDIX.

Gazette is the only official Paper recognised in the Province, and has sufficient circulation for all the purposes of Government. Should the account of Messrs. Durant & Co. be sustained, every other Editor in the Province will have an equal claim for insertions, which they had put in as a matter of information for their subscribers. As to the charge for Stationery the same observations will apply as No. 14, and presents an aggregate amount charged for Stationery in 1837 of upwards of five hundred and forty six pounds.

In the Commissioner's answer, he states that the Board of Audit are mistaken in quoting the charge in this account as "Stationery"—that it is for *printing* blanks.

Under this explanation, therefore, the charge is still more objectionable, as 5s. and 7s. 6d. per quire for *printing*, is high beyond all precedent.

21. JOHN SPRY MORRIS, ESQ. Plans and descriptions of grants from the Crown Land Office at Halifax, £30 0 0. This is a letter from Mr. Morris to Mr. Baillie, dated Halifax, 27th September, 1837, stating that the plans and descriptions are ready, that Mr. Morris hardly knows what charge to make, but thinks 25 guineas a reasonable and moderate allowance.

22. W. B. PHAIR—Postage for quarter ending 30th June, 1837, £43 9 4

23. Ditto " " ending 30th September, 1837, 26 15 8

These accounts are not certified.

24. Petty expenses in the Crown Land Office from 1st January to 30th September, 1837, £16 16 8½. The various services performed are particularly set forth in the account. There appears an extraordinary charge for cutting wood, 15s. per cord.

25. RICHARD DUNN—Office repairs, £4 9 2½. The particular items are set forth, but no certificate attached.

26. MICHAEL COLTER,

£123 5 2

27. JOHN WITHAM,

65 3 9

£188 8 11

These are accounts for altering and painting the Crown Land Office, they are not certified, and in the absence of any proper authority for incurring so heavy an expense the Board of Audit cannot recognize or make any report upon them.

28. HUGH WYLIE—Office repairs, £3 1 9.

29. WILLIAM MOORE—Office repairs, £2 7 6.

The particulars are set forth and the accounts receipted, but no certificate is attached.

The next item in this account is contingent Clerk hire.

Thomas Earl, 3½ months, from 13th June, at £150 per annum, £43 15 0

Adolphus Hart, 1½ months, from 15th August, at £50 per annum, 6 5 0

£50 0 0

In the absence of any authority for extending the sum allowed for the indoor establishment, the Board cannot recognize these charges. In the Commissioner's general account between 1st January and 30th June, 1837, the sum of £448 7 8 is charged as contingent Clerk hire, over and above the sum allowed, viz:—£1010 per annum.

The concluding charge is the usual sum for the quarter's allowance for the indoor establishment to 30th September, amounting to £252 10 0, viz:—

J. A. Beckwith, at	£350	0	0	per annum,	£87	10	0
W. H. Gall, "	200	0	0	"	50	0	0
L. W. Gall, "	150	0	0	"	37	10	0
A. S. Inches, "	130	0	0	"	32	10	0
T. O'Conner, "	100	0	0	"	25	0	0
A. S. Phair, "	60	0	0	"	15	0	0
Messenger, "	20	0	0	"	5	0	0

£1010 0 0

is £252 10 0

F. P. ROBINSON.  
H. G. CLOPPER,

Office of Audit, 20th October, 1837.

REPORT

# APPENDIX.

## REPORT

*Upon a supplementary account of disbursements in the Crown Land and Surveyor General's Department, made up to 30th October, 1837—amounting to £107 5 0*

No. 30. H. B. RAINSFORD,

£27 15 0

Feb. 8, 1837. Proceeding to Yoho Lake and searching for James Taylor's line, one day, 20s. 9th. Tracing said line and inspecting Taylor's brow, one day, 20s. Paid John Lacoute 2 days, at 7s. 6d., 15s.—£2 15s. The next charge is a sum of £25 for various services set forth in the account, between 20th July 1836, and 1st May 1837, connected with fifty licences to cut Timber and Logs, by which it is stated that much expense has been saved to Government, and the necessity of making general surveys prevented. By reference to our report on the Commissioner's account of disbursements between 1st January and 30th June, 1837, voucher No. 22 825, it will be found that the above charge of £2 15s. was included, and endorsed by Mr. Beckwith "Mr. Robinson should pay," and it was accordingly deducted, and perhaps for this reason as the survey was ordered to ascertain if Mr. Taylor had trespassed on Mr. Robinson's land, which was found not to be the case. The Commissioner now certifies it to be a proper charge against the Government, and satisfactorily performed. He further certifies that the services charged for under the item, £25, he believed to have been performed, by which heavier expenses in surveying had been saved. The account is attested to.

31. HENRY B. RAINSFORD,

33 0 0

For inspecting Mills and reporting upon Lumber cut by Mill owners since 1st May, 1836. The service embraces the period between 12th June and 22d September, 1837; each day's service is particularly set forth in the account, but the Board are of opinion that it cannot be sustained to the full extent; and from the information afforded they are also of opinion that many of the inspections were ineffectual; for instance, on the 16th June it is difficult to imagine that any satisfactory account of *Lumber sawed and Logs cut on M'Kenzie's Creek, during the preceding thirteen months*, could be obtained in one day, besides travelling 40 miles; and the same observation applies to the next charge, 19th June, and to some others. There also appears to be some charges objectionable in point of amount; for instance £2 per day on the 16th and 19th June; 25th, 26th, 27th July, travelling 80 miles, £4; 3d and 4th August, travelling 50 miles, £2 10s.; making up schedule and reports, £5. The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.

32. H. B. RAINSFORD,

23 0 0

This is an account for seizing and reporting upon Timber said to have been cut on the disputed Territory, and embraces the period between 27th June and 11th July, 1837; each day's service is particularly detailed in the account, making 11 days personal service, for which £12 is charged—also a sum to Dinnis Smith for taking charge of 6 joints of seized Timber, between 10th and 31st July, at 10s. per day (22 days), £11. This account is attested to, and certified by the Commissioner of Crown Lands as satisfactorily performed, necessary and reasonable, and chargeable to the disputed Territory fund.

33. H. B. RAINSFORD,

4 0 0

This is an account for leasing wild meadows in the Counties of Queen's and Sunbury in July and August 1837. The account is attested to, and certified by the Commissioner of Crown Lands.

34. WILLIAM MAHOOD,

20 0 0

This account is made up as follows:—

1833. Oct. 7 to 19. 12 days attendance at Fredericton under a Subpœna

*Carried forward, £107 15 0*

## APPENDIX.

	<i>Carried forward,</i>	£107 15 0
in the case of the King <i>vs.</i> Wilson and others, relating to the Chamcook grant, at 20s.	£12 0 0	
1834. Feb. 3 to 10. 8 days like attendance, at 20s.	8 0 0	
	<hr/>	
	£20 0 0	

Two Subpoena tickets are attached to the account. It is attested to, and a certificate annexed by Mr. Beckwith, setting forth that he, as acting Surveyor General in 1833, directed Mr. Mahood, at the instance of the Attorney General, to survey the Chamcook grant, and that Mr. Mahood attended as evidence in the case. It is not stated whether this claim was ever brought under the notice of the Government previously to this application, neither is any reason given for so unusual a delay as four years. But whatever may be the merits of the case, it is matter for consideration whether it can properly come under the head of disbursements in the Crown Land and Surveyor General's Department.

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£107 15 0

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F. P. ROBINSON,  
H. G. CLOPPER.

*Office of Audit, 17th November, 1837.*

It appears that Mr. Mahood was subpoenaed on the part of the Crown in a certain prosecution, and as he was brought from his home at a heavy expense, it is but reasonable he should be paid. The charge was put in with the Attorney General's accounts, but ordered by the Lieutenant Governor in Council to be brought in under the head of Crown Land expenses, as the prosecution was for the recovery of Crown Land.

THOS. BAILLIE, *Commissioner Crown Lands.*

### REPORT

*Upon sundry accounts furnished by the Commissioner of Crown Lands for services performed by Deputy Charles J. Peters, Junior, and his assistants, in Northumberland, from November, 1835, to 9th September, 1837,—£1243 5 6.*

C. J. PETERS, Jun., Account No. 1—£144 2 6.

This account embraces the period from 5th March, 1836, to 11th January, 1837. The first three items are 60 days personal service looking after Timber, settling with various persons &c. charged at 20s. per day, £60 0 0

39 days of an assistant (John S. Ellegood,) taking an account of Timber and Logs as rafted and of rafts coming to market at 20s. 39 0 0

The rate per day is highly objectionable, 10s. being the highest rate allowed for assistants. Mr. Peters' affidavit does not allude to this charge, and Mr. Ellegood's affidavit only shews that the time is correct without stating the amount of compensation received. The sum of 10s. per day, £19 10s. must be deducted.

The next charges are for settlement with various persons &c. 28 days at 20s. 28 0 0

The manner of charging these services is unsatisfactory, as no information is given whether it actually required a whole day to settle with each person, and the affidavit is entirely silent upon this head, the only allegation in it being confined to *looking after the Timber and Lumber coming to the Miramichi market*. For these reasons, further information is required. The last item is for amount paid Indians for canoeing 68½ days, at 5s. A list of the names and period of service of the Indians is annexed, but as the affidavit does not embrace this charge it is unsatisfactory, 17 2 6

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£144 2 6

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There is an affidavit attached, and the account is certified by the Commissioner of Crown Lands as satisfactorily performed, requisite for the public service and reasonable.

C. J. PETERS,

# APPENDIX.

C. J. PETERS, Jun. Account No. 2,

£163 16 6  
OF, 1 7 6

£162 9 0

This is an account for surveys and settlement of disputes arising between Lumbering parties, on about 660 Licences, between 1st February and 31st December, 1836, including Leases. The account is made up in detail, and exhibits the duties of each day by Mr. Peters and his three assistants, Messrs. Ellegood, Parks and Sadler. It is difficult to form any opinion of the necessity or utility of these services in general, yet to some of them there are strong objections.

The first charges are four days service of Mr. Ellegood as assistant, charged at 20s. one half of this is clearly inadmissible—£4.

The next charge is for Mr. Peters' personal services between 24th March and 22d December, 1836—£48 16s. 6d.

This sum cannot be sustained to the full extent; for instance April 11th to 15th, "called upon by Mr. Cunard to go and settle a dispute between J. Donald and Arbo, there being an interference on Cains River at Whalen's Brook, travelled to Donald's house, got the parties together, and settled the dispute without difficulty," 5 days, £5. To this charge there are two serious objections. First. J. Donald's 5 year lease is in Mr. Cunard's approved list, and exempted from payment of mileage. In answer to a query from the Board of Audit respecting the survey of Mr. Cunard's leases, the Commissioner stated that the reports of the several Deputies who made the surveys were on file in the office; the leases therefore being fully surveyed, why is Mr. Peters called upon? but under no circumstances had Mr. Cunard any right to call upon Government to settle his disputes under 5 year leases. Secondly. By reference to Mr. Peters' account, No. 3, he there states that he was employed on the same 5 days, viz. from 11th to 15th April, 1836, on a different service and in a different place.

"27th May, 1836, employed with Mr. Hutchinson, and Mr. Morrow, respecting the Tabusintack leases, 20s. £1." By reference to preceding account, No. 1, it will appear that the 27th May was charged for "looking after Timber coming to market." September 13th another day employment on same service as 27th May, 20s. £1. October 19th, 3 days making out plans of Tabusintack, Tracadys &c. and writing you respecting the same, 60s. £3. Some explanation respecting this charge is required.

The charges from 20th October to 22d December, 1836, also require explanation, especially those for proceeding to different places under the direction of Mr. Cunard, for if these services were connected with 5 year leases, Mr. Cunard as before stated being exempt from payment of mileage, is not entitled to call upon Government to settle his disputes. The next charge in the account is for services of an assistant, David Sadler, in surveying Licences, Leases &c. between 12th August and 8th December 1836, charged.

Personal service, 55. days, at 20s.	£55 0 0
Six Returns,	6 0 0
	£61 0 0

10s. per day must be deducted; but there are other objectionable charges. There appears very unnecessary travelling; for instance on the 27th and 28th August, 1836, travelling from Renous River to Chatham, and on the 29th started from Chatham for Little South West. [Quere—why not go from Renous River by the most direct route to Little South West, and thus save two days unnecessary travelling.] Again on 30th September, and 11th October, two days travelling, when it appears no service or survey was either preformed or required. £8 is charged for survey of Cuppage and White's lease, but no such lease appears to have issued, one pound of this sum was marked, "disallowed," by the Commissioner of Crown Lands, but it is not deducted from the account. (See account No. 6, where Mr. Peters' assistant, David Sadler, charges £23 for surveying James White's lease. [Quere—Cuppage and White,] on the Little South West.)

The next charge is for similar surveys of another assistant, William Parks, from 13th May, to 31st December, 1836.

# APPENDIX.

Personal service,	£45	0	0
Five Returns,	5	0	0
	£50	0	0

Here also the extra 10s. per day must be deducted, and it is to be observed that in Deputy Peters' account, No. 6, William Parks is charged for at 8s. per day on the 8th March, 1837. Many of the charges require explanation. £8 is charged for surveying Peter Sinclair's lease, when no such lease appears to have issued. £2 is charged in two instances for travelling 35 miles. The assistant returned from survey of Peter Sinclair's lease on Little South West, on the 26th October, and again started to perform a survey connected with the same lease on the 8th November. Could not both these surveys been performed at one time, and thus saved four days unnecessary travelling? 10s. is disallowed by the Commissioner of Crown Lands on 26th December, but it is not deducted from the account. It is desirable to be informed, what is the nature of the "Returns," said to have been made by these assistants, no plans are alleged to have been made, and the sum of twenty shillings would appear to be a very high charge for merely reporting that a Timber berth had been laid off, indeed the necessity of any return at all is by no means apparent. Four affidavits are annexed to the account by Mr. Peters, stating that he was employed as charged in the within account, and that the several services as charged were actually performed by him and by Messrs. Parks, Sadler and Ellegood, stating that they were employed by and under the particular direction of Deputy Charles J. Peters, Jun. to make the several surveys charged in the accounts, and that they were employed the time therein stated. There is also the usual certificate of the Commissioner of Crown Lands, stating the duty to have been satisfactorily performed, requisite for the public service and reasonable, to amount of £162 19s. but this amount is wrong by 40s. disallowed by the Commissioner as before stated.

C. J. PETERS, Jun., Account No. 3,	£649	10	0
Mr. Cunard,	78	15	0
	£570	15	0

This is an account for surveying 268,000 acres in 16,000 acre blocks, between November 1835 and October 1836, between Little South West and Big Nepisquit Rivers.

208½ miles line, at 60s.	£625	10	0
Making two plans on 100 chain scale as the work proceeded,	4	0	0
General plan, field notes, &c.	20	0	0
	£649	10	0

By a recent decision of the Governor and Council in the case of Mr. Layton the charge for plans, &c. was disallowed under precisely similar circumstances. Annexed to the account is statement by Mr. Peters of the manner and time of performing the work, by which it appears that the surveyor himself was employed on the survey but 17 days, one Sunday included, (five days of which were charged in a former account for another service, see account No. 2,) the remainder of the work was performed exclusively under the direction of an assistant, William Parks, but whether he was an accredited Deputy Surveyor with a proper deputation is not stated, indeed from the account itself the contrary supposition is to be inferred, and the competency of Mr. Parks to conduct so important and expensive a work may be considered somewhat questionable, for at a subsequent period (from 8th March, 1837,) we find him in Mr. Peters' account No. 6, rated as principal chainman at 8s. per day. The names of every person concerned in this survey should be given, and the rate of payment to each. But the Board of Audit feel themselves imperatively called upon to express their opinion that this was a most improvident and unnecessary expenditure of the public money, for Mr. Peters says "It must also be considered that in this survey there was considerable difficulty to contend against, *it being very much out of the way*, and a great expense in getting up provisions." When to this is added that the work was principally performed in the depth of winter, (7th December, 1835, to 23d April, 1836,) it does appear necessary that the Commissioner of Crown Lands should explain his reasons for ordering

## APPENDIX.

ordering the survey under circumstances so unfavourable. The affidavits of Messrs. Peters and Parks are annexed to the account, and it has the usual certificate of the Commissioner of Crown Lands, that the work was satisfactory, requisite and reasonable, and that £570 15s. is chargeable to Government, and £78 15s. to the Honorable Joseph Cunard, for extending 26½ miles of boundary for his 5 year Licences.

C. J. PETERS, Jun., Account No. 4.—£73 15 0.

This is an account for personal services, surveys, timber inspections, selling wild meadows, settling with various persons, &c. between 11th March and 9th September 1837. Each day's service is set forth, but the Board of Audit can form no opinion of the merits of the account. Three Sundays are charged as for settling with different individuals, and as in account No. 1, several days at 20s. are charged for settling with individual persons, and there would appear a most unnecessary charge on the 30th August, 20s. for calling on A. Rankin "to have their statement made up so as to be ready for settling as soon as convenient." This service surely might have been as effectually performed by a short communication in writing. The charge of £2 10s. for selling wild meadows is inadmissible—ten per cent. on the amount of sale is the established allowance for that service. Many of the charges certainly require explanation. Between 15th and 18th May £5 5s. is charged, and on reference to the account the Board are unable to discover that any effectual service was rendered. More full and satisfactory information should be afforded of the nature and extent of the services stated in this account. The account is attested to, and certified by the Commissioner of Crown Lands.

C. J. PETERS, Jun., Account No. 5,

	£184 12 0
Off,	2 0 0
	£182 12 0

This is an account rendered by Charles J. Peters, Junior, Deputy Surveyor, for Surveys and inspections of Timber berths in the Counties of Northumberland and Gloucester between 12th December, 1836, and 1st September, 1837, by his *duly commissioned assistant, Matthew Carruthers*. As the sum of 20s. per diem is regularly charged throughout the account for this assistant, the Board must at once express their opinion that 10s. per day must be disallowed and deducted.

The first charge is for survey of J. Johnston's lease (No. 76—5 square miles.) 8 days work are charged, which with assistants amount to £16 2s. including 20s. for the return of survey. It appears that during the progress of the survey, the assistant Carruthers received a letter from Mr. Peters "ordering him to stop in consequence of a difficulty with Messrs. Rankin and Johnston about the lines, which could not be settled without referring to Fredericton."

From 19th to 25th January £7 is charged for *running a line between two licences*, including 20s. for a *return*, and travelling to survey another licence, which it appears was not required by the parties. From 6th to 10th February £5 is charged for running a division line between Lock and Cunard's licences, when the assistant met with some detention for want of hands, which ought to have been provided by the parties concerned. The charge between 15th and 21st February, £7, is highly objectionable as it would appear to be a continuation of the survey commenced on the 19th January, and might have been as effectually performed by continuing that survey one day longer; the 5 days travelling to expend one day in running a *due east line*, and 20s. for a *return of this survey* would then have been found unnecessary. The next charge is for surveying Rankin and M'Master's leases on Barnaby's River—total expense £121 10s. [Quere—no lease to M'Master.] It appears that the assistant left Chatham on the 2d March, having charged 20s. for 28th February in "preparing plans and getting ready for starting;" it took 3 days to get to M'Master's camp, [quere—how many miles?]\* which with assistants cost £5 4s. On the 6th March he makes the following declaration—"Went over to Deputy Layton's lines, and examined the same carefully, and found they did not agree with the plans." In consequence of this he was obliged to return to Chatham for further information—£10 10s. was expended before he commenced the survey.

The

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\* The Commissioner says rather over 30 miles, chiefly through the woods—2s. per mile.

## APPENDIX.

The next charge is £2, having received information of a trespass on Well's Brook ; found no trespass committed.

22 days service of the assistant at 20s. is next charged for looking after and taking account of timber and rafts.

On the 1st August the assistant again went on the survey of Mr. Rankin's leases on Barnaby's River, and expended £31 12s. more, making a total of £121 10s.

The last charge is £4 for 4 days employment in extending the upper line of licence 75 42 at the request of Mr. Rankin. The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.

C. J. PETERS, Jun. Account No. 6,

£110 12 0  
Off,       1 0 0

£109 12 0

This is an account of Charles J. Peters, Junior, for surveys and inspections of timber berths in the Counties of Northumberland and Gloucester, between 21st January and 31st August, 1837, by *his duty commissioned assistant*, David Sadler. In this account as in the last 20s. per diem is charged for the services of an assistant, and the Board of Audit have only to repeat their opinion that 10s. per day must be deducted. One Sunday is charged. The account principally consists of expenses in surveying Timber Berths, and looking after Timber, &c., but there is one item which does appear most extraordinary. A difference of opinion appears to have subsisted between Messrs. M'Leod and Williston respecting some Timber, when this assistant, David Sadler, was called upon, and expended £14 for 14 days—9 of which were employed in *counting stumps*. It surely was unnecessary to call upon the Crown to perform such duty, as no survey was required, and the counting the stumps should have been done by a person to be employed by Mr. M'Leod, and verified if necessary by affidavit.

On the 25th May the assistant Sadler started on another stump counting expedition, and expended 11 days more, at 20s., making 25 days in all employed in travelling and counting stumps.

The last charge in this account is 23 days, at 20s. in surveying James White's [quere—Cuppage and White's] lease on Little Southwest. No such lease appears to have issued, and by reference to preceding account, No. 2, it will be seen that Deputy Peters charged £8 for the survey of this lease 30th August, 1836. The account is attested to, and has the usual certificate of the Commissioner of Crown Lands.

There appears to be a material difference in the expense of surveying Timber berths in different Counties ; for instance, Mr. Deputy Mahood in Charlotte, charges, himself, 20s., 1 chainman, 10s., 5 assistants, at 7s. 6d.; in all £3 7s. 6d. per day ; in Northumberland, Mr. Deputy Peters charges but for the surveyor alone, 20s. per day, the parties concerned finding assistants. As the rate of tonnage is the same in both Counties, it is desirable that this apparent discrepancy should be explained ; and the more especially as the Commissioner of Crown Lands has stated that he makes no distinction between surveying Timber Berths and Crown Lands for which grants are to issue.

F. P. ROBINSON,  
H. G. CLOPPER.

*Office of Audit, 6th December, 1837.*

### REPORT

*Upon sundry accounts of disbursements in the Crown Land and Surveyor General's Department, as enclosed in the Commissioner's Letter, dated 9th December, 1837.*

WILLIAM MAHOOD—£108 10 0.

This account embraces the period between June and 24th November, 1837.

The Commissioner of Crown Lands has classified the charge in this account from No. 1 to No. 7 inclusive, and has annexed explanatory remarks to each.

No. 1. £8 10 0 for leasing &c. Wild Meadows cannot be allowed, as the established compensation has been 10 per cent., the Meadows having sold for £48 6s. 3d. Mr. Mahood is entitled to £4 16s. 8d.

*Explanation*

## APPENDIX.

*Explanation by Commissioner of Crown Lands.*—Ten per cent. was allowed one year at my suggestion, but was objected to by the Auditor. In all subsequent transactions, therefore, I ordered the Officers to make their charge as upon other services.

*Reply.*—The Auditor did not object to the principal of 10 per cent, but to the mode of payment. In 1836, Mr. Mahood himself charged at the rate of 10 per cent.

No. 2. £2 0 0. This charge cannot be allowed, the Commissioner states that he did not direct the service to be done at the expense of the Crown.

*Explanation.*—This is correct, £2 should be deducted from the account.

No. 3. £4 0 0. One pound of this sum is for *writing a bond to the Queen*, and delivering up the Lumber; seven shillings and sixpence would, in the opinion of the Board, be a very sufficient compensation for the service, (it being the usual fee allowed to Sheriffs and other Officers) including the nominal ceremony of delivering up his Lumber to him.

*Explanation.*—If seven shillings and sixpence be the charge for writing a Bond, twelve shillings and sixpence may be allowed for delivering up the Lumber, which must have been more than a matter of form as it had to be counted, and the two duties might well take up a day.

No. 4. £2 0 0. Inspection upon a five years lease. This appears an extraordinary charge. Mr. Hanson has given bonds under his five year lease, and the regulations require him to exhibit an attested account of all Lumber cut by him. Why was this inspection considered necessary?

*Explanation.*—Notwithstanding the Bond supervision is necessary as a check upon the party, and the Crown has upon all occasions been benefitted by it.

No. 5. £4 7 6, expenses attending the seizure of Lumber. This charge may be very proper in the proper place.

The Board consider that it should form part of the costs and charges attending the seizure of the Lumber, and be included in the account. Sales as in the case of seizures in the Custom House and Treasury, the claim at this time before the article is sold is premature.

*Explanation.*—The expenses incurred by my Officers in seizing and securing Timber forms no part of the Court charges, and is not included therein.

The practice of the Custom House and Treasury are not similar, their Officers being paid by Salary.

*Reply.*—The Board of Audit cannot be understood as classing these expenses as Court charges.

The practice of the Custom House and Treasury is precisely similar, the charges are never paid till the article is sold, the salary has nothing to do with it.

No. 6. £85 12 6. This is a charge for survey of three five year leases, only two of which have issued. No. 138 (13 square miles) and No. 139, (8 square miles); the third to Thomas Davis, the Commissioner states *is awaiting mileage and bond*. The survey of a lease under such circumstances would appear to be highly inexpedient and irregular, for it is in the power of Davis to abandon the lease, and thus leave the Government no return whatever for the expense incurred.

*Explanation.*—Should Thomas Davis not pursue his purchase of the five year licence further, the ground is surveyed, and will in all probability be taken up by others.

No. 7. £2 0 0. Inspection upon a five year lease. See observation to No. 4, which apply strictly to this case.

JOHN H. P. WHITE—£80 12 6.

This is an account for opening 26 miles and 70 chains of Line between Tobique and Salmon Rivers in Carleton, agreeably to instructions, at £3 per mile, which lines delineate the boundaries of five year licences applied for by George E. Ketchum, J. A. Phillips, and William J. Bedell. No dates are given; the account is attested to on the 9th December, 1837, and the Commissioner of Crown Lands affixes a certificate of the



## APPENDIX.

work having been performed, and that the three leases will produce in five years the sum of £753, but as in Mr. Mahood's account in this report, No. 6, only two leases have issued, and as to the third the same observations as are there made will apply.

*Explanation.*—Two of the Licences have issued, defined according to the survey. The other could not issue until the survey was made, but will now proceed.

F. P. ROBINSON,  
H. G. CLOPPER.

*Office of Audit, 11th December, 1837.*

### REPLIES

FROM COMMISSIONER OF CROWN LANDS TO THE AUDITORS REPORTS,  
DATED 20th OCTOBER, AND 6th DECEMBER, 1837.

CROWN LAND OFFICE, NOVEMBER 30, 1837.

*Answer to the Report of the Board of Audit of 20th October, 1837, on sundry Surveying, and other Accounts.*

#### No. 1. H. M. G. GARDEN.

By the regulations under which Timber Licences have issued for several years past, when a Berth was not surveyed, or but partially surveyed, the Government was required to make such further surveys as were necessary. The first item of Mr. Garden's account, £16 11s. 9d., was for dividing Timber Licences from granted lands. One of the grantees, Dr. Jacob, agreed to pay half the expense of running such portion as adjoined his grants, which offer was accepted. The Licences were on good settlement lands, and I thought that the land would be more likely to sell for actual settlement after the expiration of the Licences if the lines were carefully extended and opened, and it would also enable the Licencees to work without any apprehension of trespassing. Under those considerations I ordered the surveys to be made at the expense of the Crown, excepting such portion as Doctor Jacob had undertaken to pay.

The balance of Mr. Garden's charge was for extending such lines of Timber Licences in his district as became necessary to prevent collisions—the parties furnishing assistance—and for inspecting Timber Licences; a service which has been annually paid from the Timber receipts and Casual revenue for the last fifteen years.

#### No. 2. ANDREW BLAIR.

The survey was ordered by the Lieutenant Governor in Council on the 20th May last, and the names of the assistants are now annexed to the account.

#### No. 3. JOSEPH HUNTER.

Messrs. Ritchie and M'Leod had Timber Licences adjoining each other near the head of the Restigouche; the River was surveyed, but the side lines of the Berths were not extended. Mr. Ritchie proceeded to work in a fine grove which Mr. M'Leod said fell within his bounds, and after repeated attempts to settle it without a survey, Deputy Hunter was in January last ordered to proceed to the spot, and extend the dividing line or ascertain on whom the Timber was cut. This service he performed, and ascertained that Mr. Ritchie was on his own Berth. The River being dangerous, and no Roads open, he was obliged to snow shoe it, and the going, surveying and returning occupied 14 days.

As respects the three days charged for separating Licences from granted lands, the parties working under those Licences could not work with safety unless it was done, and the owners of the land would not do it; it therefore became my duty, under the then existing regulations, to do it—the Licencees furnishing assistance.

The settling with sundry merchants facilitated the inspection of the Timber, by inspecting their survey bills in lieu of re-measuring their Timber.

An assistant is often necessary when inspecting, as a witness, guide, or canoe man, and has always hitherto been allowed when charged. Two canoe men are necessary when inspecting on the Restigouche, as the canoes used on that coast are heavy, and the tides of the Restigouche are strong.

If

## APPENDIX.

If the names of the assistants and Indians are considered important, Mr. Hunter shall be written to for them, but it will occasion a delay of at least four or five weeks.

No. 4. REUBEN STILES.

Mr. Stiles has been written to for particulars.

No. 5. NELSON ARNOLD.

This is for an inspection on the Petitcoudiac River—where Licences issue, and whence Timber is shipped annually—and on the upper part of the Kennebecasis, and its branches, where are several Saw Mills, some granted and some vacant land. I considered the inspection necessary, and Mr. Arnold's report was satisfactory.

In the course of his inspection he took bonds for excesses on two distinct days, and on one of those days he attended the taking of affidavits where a question arose whether some Timber was cut on granted or ungranted lands, which days are particularized in his account.

No. 8. JACOB ALLAN.

Mr. Allan has been written to for an explanation.

No. 9. W. J. LAYTON.

Mr. Layton has been written to for amended accounts.

No. 11. J. W. JOUETT.

The names of Mr. Jouett's assistants are now annexed to his account.

No. 12. CHARLES J. PETERS.

The £1,243 5s. 6d. is partly for surveying land under instructions from me, and sanctioned by the Executive, and partly for transactions connected with the surveying Timber Berths and inspecting Timber and Lumber cut in the Miramichi district; which services were in my opinion absolutely necessary, and I am convinced that they contributed materially to increase the tonnage received from Miramichi during the years referred to.

Nos. 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, and 29, are now certified.

No. 20. L. W. DURANT & Co., advertising and printing blanks.

The charge for advertising is in strict accordance with Earl Bathurst's Instructions of the 1st March, 1827, which have never been annulled. The balance of the account the Board of Audit will, by reference to it, see is not as they state for stationery, but for *printing* blank receipts, certificates, &c. and *binding* the receipts.

Nos. 22 and 23. W. B. PHAIR.

These accounts are authenticated by the signature of the Postmaster, which has always been considered a sufficient proof of their correctness; indeed it would be difficult to test their correctness in any other manner.

No. 24. PETTY EXPENSES.

The charge of 15s. per cord, was for the purchase of two cords of seasoned hard wood, and not for cutting it.\*

Nos. 25, 26, 27, 28 and 29.

His Excellency the Lieutenant Governor's approval for those expenditures is on file in the Crown Land Office.

CONTINGENT CLERK HIRE.

This was necessary to expedite the Grants which have increased during the last two or three years to an extent far beyond any former precedent, and included several more extensive ones than had issued for many years previous; for instance, the grant to the New Brunswick Land Company of half a million acres; to the Black Refugees, comprising upwards of 90 distinct lots to over 70 different persons; the Westmorland Emigrant Grant of 52 lots to as many persons; and the Church Grant of 29 tracts in 21 different Parishes.

THOS. BAILLIE, C. C. L.

CROWN

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\* It was stated in the account for "cutting."—*Board of Audit.*

## APPENDIX.

CROWN LAND OFFICE, FREDERICTON, 2d January, 1838.

*Answers to the Auditors remarks upon sundry Accounts, furnished for services performed by Deputy Charles J. Peters, Junior, and his Assistants, in Nothumberland, from November, 1835, to the 9th September, 1837.*

C. J. PETERS, Junior, Account No. 1—£144 2 6.

All the Timber manufactured near the Miramichi waters and the waters of the numerous Rivers falling into the Miramichi Bay, is shipped at or in the vicinity of Nelson, Newcastle, Douglas and Chatham, and being all mixed together as it arrived at market, I found that much confusion resulted when different Deputies were employed in the inspection, unless they were in constant communication with each other; to remedy this evil, I placed all the Miramichi inspections under Mr. Peters' supervision, and as the duty was often too heavy to be performed by one person, I authorised him to employ assistants, having deputations, or being candidates for deputations, and approved of by me; and as they acted as principals, and performed responsible duties, I am of opinion that the charge of 20s. per diem for their services is not unreasonable, particularly when it be considered that during the inspection they are constantly on the move, and must incur heavy Tavern expenses for board and lodging. When 10s. per diem is charged for assistants, they are chainbearers, keeping a field book of their admeasurements, under the eye of the Supervisor, and in on wise responsible as principals.

The charge of £39 for 39 days of Mr. Ellegood's time was for services performed by him as Inspecting Officer, which he is competent to perform in a satisfactory manner.

The remark of the charge of £28 for settling with various persons, and £17 2s. 6d. paid Indians, has been communicated to Mr. Peters, and a more explicate attestation called for; the Auditors have however omitted to say how many hours employment in settling constitutes, in their opinion, the right to charge for a day.

C. J. PETERS, Junior, Account No. 2—£163 16 6.

The charge of £4 for 4 days of Mr. Ellegood's time is the usual charge, Mr. Ellegood being during that time the acting principal.

The charge of £5 for proceeding to Donald's, and settling a dispute between him and Arbo, is chargeable against the Crown, inasmuch as threepence per ton of the duty paid is paid for the express purpose of protecting the fair lumberman. Arbo had a Licence, his upper line was not extended, and the question to be determined was whether he was working on his ground or not; as Mr. Donald's 5 years Licence had not then issued, Mr. Peters by effecting a settlement between the parties prevented the necessity of incurring farther expense by a survey. Mr. Peters had been called upon to explain the discrepancy in the dates alluded to by the Auditors.

The plans of Tabusintac and Tracadi were required to elucidate a number of applications from various persons, the true positions of which could not be ascertained from the Maps in the office, the Country being mostly unsurveyed; although from his local knowledge, and from partial surveys made by him, Mr. Peters was able to furnish plans sufficiently explanatory to allot the respective berths, and prepare an order to survey them.

The services performed on the 20th October, 1st of November, and 12th, 16th, and 17th of December, were under an order of Council, issued in consequence of trespasses said to have been committed by Williston and Cunard upon Rankin and M'Leod.

Pomroy and Munro were adjoining Licencees, who disputed in consequence of their divisional line not being extended; Scott is a trader at Cains River, who purchased Timber from various parties.

The services preformed on the 19th, 21st and 22d of December, were under the following circumstances. A Berth was sold by auction to Joseph Cunard, situate on Barnaby's River, and running back to the granted and located Land on the Miramichi River; this induced Richard Cox, a squatter, to come forward and purchase the Lot he was squatted upon, it being within the bounds of the said Licence; had it not issued Cox would in all probability have continued a squatter to this day, and therefore although a question arose as to who should have the Timber, and an expense of £3 was incurred in consequence, I consider the Crown to be a gainer by the transaction.

DAVID

## APPENDIX.

DAVID SADLER. Services performed between 12th August and 8th December, 1836.

In the above services Mr. Sadler was acting as a principal, which he is qualified to do, and he holds a deputation under my hand.\*

After completing the Renous River survey for Alexander M'Laggan, Mr. Sadler was obliged to proceed to the office at Chatham to prepare a return of said survey, as it was wanted at my office before I could dispose of an adjoining application,

September 20th and October 1st, Mr. Sadler was requested by one of two adjoining Licencees to extend their dividing line, as it was uncertain on which of their Berths a quantity of Timber four or five miles back would fall. When he arrived on the ground he called upon them to furnish axe and chain men to extend the said line, and give a connexion with the nearest surveyed land, which requisition joined to the apprehension of each party that the other would take in the principal grove, induced them to agree to work in common, and consequently the dividing line was dispensed with. "Law suits are often withdrawn by the parties when ready to go into Court, but this does not prevent the Surveyors from getting their costs."†

The charge of £8 for laying off Cuppage and White's Berth, Little South West, was for a survey made in consequence of conflicting claims between Duncan and Loch, and Cuppage and White, predicated upon old Berths, which made it necessary to actually define the precise spot forming the boundary between, (one mile above Parks' Brook,) and extend their divisional line under, Licences 86 and 433, which line afterwards became part of the upper line of Loch's five years Licence.

In the services performed by William Parks from the 13th of May to the 31st December, 1836, he was acting principal, which he was qualified for, and he holds my deputation.‡

The five years Licence surveyed for J. Sinclair, issued at his request in the name of Jared Tozer, No. 150—he, Tozer, having a saw mill in the immediate vicinity.

The survey performed from the 8th to the 13th of November, was a separate and distinct service from that performed prior to the 26th of October; in conformity with my instructions, Mr. Peters whenever he could induce the Licencees to furnish assistance did so, but was consequently obliged in some degree to study their convenience; when the survey for Sinclair was finished the party left him, and a new party had to be collected to execute the subsequent survey—two and not four days extra travelling was the consequence.§

A year's apprenticeship to the theory and practice of the art of surveying would initiate the Auditors in the technicalities of the science, the terms made use of by Surveyors, and the necessity of returns.

A "return" is a map or delineation of lines extended, shewing the particular service performed, the connexion given with prior surveys, the courses and distances blazed and measured, the streams, wild meadows, mountains, lakes, lines, &c. intersected, and the person or persons on whose behalf the survey was made; without returns the business of the Office would soon be at a stand still.||

Survey of 268,000 acres into 16,000 acre blocks.

The greater part of this tract is now covered with five years Licences to Messrs. Rankin, Cunard, and others; the very circumstance of its being remote rendering it more valuable to Lumbermen as having been less worked upon; Mr Peters having undertaken to perform the service at a stated price, per mile, it was a matter of no importance to the Crown at what time of year he performed it, although I am of opinion that surveys in remote places may be executed as cheaply in winter as in summer.

In regard to the remarks respecting Mr. Parks, I can only say that he is an accredited Deputy Surveyor.¶

C. J. PETERS,

\* *Quere.*—Did he hold the Deputation at the time he was so employed.—*Board of Audit.*

† Does the Commissioner wish to be understood as drawing an analogy between Lawyers and Deputy Surveyors, in order to justify the latter in charging for services never rendered? Professional men are of course entitled to costs, but they are for services actually performed.—*Board of Audit.*

‡ *Quere.*—Did he hold the Deputation at the time alluded to?—*Board of Audit.*

§ Two days going and two returning, make four days.—*Board of Audit.*

|| This would certainly be very valuable information if it had been required. The Board of Audit confined their remarks to *Returns* where no *Map* was made.—*Board of Audit.*

¶ *Quere.*—Was he so at the time?—*Board of Audit.*

## APPENDIX.

C. J. PETERS, Account No. 4, £73 15 0.

The charge of ten per cent. for selling wild meadows having been objected to by the Auditors, the Deputies have been instructed to charge by the day for the time occupied in the service.\*

The 15th to 18th of May was taking an account of rafts in the Miramichi to ascertain whether more was cut than had been licensed.†

Account No. 5, services performed by MR. CARRUTHERS.

Mr. Carruthers holds my Deputation, and was acting as principal whilst performing the services detailed in this account.‡

January 19th to the 25th, Mr. Carruthers proceeded to Barnaby's River to lay off M'Master's Berth from his lower boundary, and to extend his upper line, as another person had a license above him; he was at the same time to divide Williston's Berth on Black River from M'Masters' on Barnaby's. He performed the first named service, but M'Masters and Williston when they found the Surveyors on the spot preferred compromising to furnishing men for the survey, which would have occupied three or four days.

The charge from the 15th to the 21st is for surveying the eastern line of M'Masters' Licence, 256, in consequence of Peter Esson having obtained a Licence adjoining it on the 10th of that month. In January Esson had no interest in the matter, and would not have furnished assistants. The survey made in that month was to define the extent of M'Masters' Licence from his north to his south line, and to extend his south line, that Esson, whose Licence, 314, adjoins south of him, might know where to go to work.

M'Masters' five years License is ready to issue, but awaits the payment of a balance due on his mileage.

The distance from Chatham to M'Masters' camp on Barnaby's River is rather over thirty miles, chiefly through the woods.

It is very possible that Mr. Layton's lines, predicated upon a survey commenced on Richibucto River, might not have agreed with Mr. Peters' plans, predicated upon Barnaby's River surveys, and nothing less than a general trigonometrical survey of the Province would enable me to declare where the error might be.

C. J. PETERS, Account No. 6.

Mr. Sadler was acting as principal in performing the services enumerated in this account; the stumps were counted under an order in Council in consequence of a serious dispute between Messrs. M'Leod and Williston, referred for the decision of that body.

James White's five years Licence on the Little South West was prepared, but before the necessary bonds were executed by him he was drowned; his partner, Cuppage, has recently petitioned His Excellency, praying that the Licence may issue in his name. His petition is said to have been approved of, but he has not produced the approval. When he does, and furnishes bonds, the Licence will issue to him.

In surveying one year's Licences, the party requiring the survey has been in the habit of paying the men, the Crown paying the Surveyor; in five year Licences all expenses have been usually paid by the Crown, but if the parties concerned consented to furnish assistance the Deputy of course made no objection.

THOS. BAILLIE, *Commissioner Crown Lands.*

### REPORT

*Upon sundry Accounts furnished by Supervisors of Great Roads of Monies expended in 1836 and 1837.*

**ROAD FROM CONNICK'S, AT WAVEIG, TO THE BRIDGE AT SAINT STEPHEN'S.—J. H. Whitlock, Supervisor.**

No. 1. Grant 1837—	The Supervisor credits received from the	
Warrant No. 234—£150.	Treasury,	£150 0 0
Paid to sundry persons,		£134 15 4
Commission 10 per cent.		15 0 0— 149 15 4

Balance unexpended,	£0 4 8
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Full and complete vouchers accompany the account, it is attested to, and is satisfactory.

\* The ten per cent. was never objected to, but the mode of payment was.—*Board of Audit.*

† See the account for information.—*Board of Audit.*

‡ *Quere.*—Was he deputized at the time? Mr. Peters calls him "his duly commissioned assistant."—*Board of Audit.*

# APPENDIX.

## FREDERICTON TO THE FINGER BOARD.—*N. Hubbard, Supervisor.*

No. 2. Grant 1837—	} He credits received from the Treasury,	£600 0 0		
Warrant No. 225—£600.		The Supervisor expended on the old Road,		
		£112 10 0		
Deduct balance in his hands of Grant 1836,	15 0 2—	£97 9 10		
Expended on new line,		331 16 0		
Ferriages, &c.		0 8 4		
Justices, Jurors, and Constables fees,		2 5 0		
Supervisor exploring, attending with the Commissioners,		12 0 0		
12 days, at 20s.				
		£443 19 2		
Commission,		49 6 8— 493 5 10		
Balance unexpended,		£106 14 2		

The account is attested to. Satisfactory vouchers are produced for all the charges; but the Board remark that the Surveyor, Mr. Earle, has charged 20s. per day, and 2s. 2d. per day for provisions—the established rate to Surveyors is 20s. without any other charge.

## FREDERICTON TO SWIM'S FERRY.—*Alex. Goodfellow, Supervisor.*

No. 3. Grant 1837—	} The Supervisor credits received			
Half of Warrant, No. 230—£1750.		from the Treasury,		
		£1,750 0 0		
He charges the balance due him last year,		£193 6 2		
Amount expended in 1837, part of which is for old contracts below Decantlin's—£400 for the new Bridge over the Nashwaak—£519 15s. 8d. for 965½ rods, at 7s. 11d., 12s. and 12s. 5d. per rod, on the new road from Everitt's Ferry towards Atherton's—£28 2s. 11d. for expenses in exploring and staking said Road—£2 14s. 6d. for travelling expenses from Newcastle to Fredericton, and 15 days of the Supervisor's personal service in exploring, &c. at 15s. per day,		£1,647 0 4		
Commission on the above expenditure, at 10 per cent.		164 14 0— 2,005 0 6		
Balance due the Supervisor,		£255 0 6		

The account is attested to, and vouchers are produced for all payments, and are satisfactory with the exception of Nos. 1 and 2 for £28 19s. 2d., which require to be executed before a competent witness, the parties being unable to write.

## CHATHAM TO RICHIBUCTO.—*Alexander Goodfellow, late Supervisor.*

No. 4. Grant. The Supervisor credits a balance reported in his hands, 1836,	£6 15 3			
He charges paid John Mooney for Bridge over Blanchard's Creek, per contract, made in 1836,	£65 0 0			
Paid advertising,	0 6 0			
Commission on £65 6s. at 10 per cent.	6 10 7— 71 16 7			
Balance due Supervisor,	£65 1 4			

The account is attested to, and is satisfactory.

## NEWCASTLE TO FOREINS.—*Alexander Goodfellow, Supervisor.*

No. 5. Grant 1837—	} He credits received from the Treasury,	£200 0 0		
Warrant No. 219—£200.		He charges balance, per account rendered,		
		£90 13 9		
Paid to sundry persons for repairs, &c.		95 6 4		
Commission,		9 10 7— 195 10 8		

Balance due the Province, £4 9 4  
The account is attested to, and is satisfactory. GREAT

# APPENDIX.

## **GREAT ROAD FROM FREDERICTON TO SAINT ANDREWS, between M'Curdy and Connick's.—L. B. Rainsford, Supervisor.**

No. 6. Grant 1837— } The Supervisor credits received from the  
Warrant No. 235—£150. } Treasury, £150 0 0  
He charges as paid five persons for damages sustained, £26 5 0  
Paid under four contracts for work, 72 13 10  
Commission on expenditure, 9 17 11— 108 16 9

Balance in Supervisor's hands, £41 3 3  
Satisfactory vouchers are produced for the above expenditure, the account is attested to, and the Supervisor has filed a contract with S. Bartlett for building a Bridge over the Stream, near Watts' tanyard, for £40 of the above balance.

## **NEREPIS ROAD.—L. B. Rainsford, Supervisor.**

No. 7. Grant 1837— } He credits received from the Treasury,  
Warrant No. 223—£800. } £800 0 0  
Balance due on grant in 1836, 73 1 1  
873 1 1  
Vouchers are produced for expenditure of this sum, £814 9 4  
Deduct error, 0 8 10

£814 0 6  
Commission, 80 0 0— 894 0 6

Balance due the Supervisor, £20 19 5  
The account is attested to, and is satisfactory.

## **FREDERICTON TO SAINT ANDREWS.—L. B. Rainsford, Supervisor.**

No. 8. Grant 1837— } The Supervisor credits, £250 0 0  
Warrant No. 233—£250. } Balance due last year, 131 5 10  
£381 5 10

Vouchers are produced for the expenditure of this sum  
in making and repairing the Road; some of the  
charges appear high, as 60 days labour, at 8s.; 66  
ditto, at 7s. 6d.; 2 ditto, at 10s. 282 0 9

Vouchers are also produced for expenditure of this sum  
in exploring, £112 18 10½  
Deduct disallowed, 0 9 6— 112 9 4½

£394 10 1½  
Commission on this sum, 39 8 11  
The Supervisor charges for personal services 61 days  
exploring with Messrs. Hayward and Brown, at 15s.  
per diem, in 1836 and 1837, 45 15 0— 479 14 0½

Balance due the Supervisor, £98 8 2½  
The account is attested to.

## **GAGETOWN TO NEREPIS.—Abel Harding, Supervisor.**

No. 9. Grant 1837— } He credits received from the Treasury, £200 0 0  
Warrant No. 229—£200. } The Supervisor has expended, 180 2 6  
Commission, 20 0 0— 200 2 6

Due the Supervisor, £0 2 6  
Vouchers are produced for all the charges. The account is attested to, and is quite satisfactory.

## **GREAT ROAD FREDERICTON TO CANADA LINE—J. A. MacLauchlan, Supervisor.**

No. 10. Grant 1836, £1,560. The Supervisor credits received from the  
Treasury, (Carried forward,) £1,560 0 0

# APPENDIX.

	<i>Brought forward,</i>	£1,560	0	0
He charges as due him a balance in 1835,	£12	2	8½	
Paid to sundry persons per receipts,	1,339	16	4	
Commission,	156	0	0—	1,507 19 0½
Balance stated to be due the Province,				£52 0 11½
To this balance must be added error in voucher, No. 13,	£0	0	5	
Error in voucher, No. 40,	0	2	6	
Error in voucher, No. 44,	1	10	0—	1 12 11
True balance,				£53 13 10½

Voucher No. 40, is "an account of expenses incurred in exploring a new line of Road in the Parish of Kingsclear, agreeably to an address of the House of Assembly." 14 days personal services of the Supervisor, at 22s. 6d.; 34 days of assistant, at 7s. 6d.; Plan 60s. This voucher is marked "Approved, Archd. Campbell, Lt. Governor."

The account is attested to, and the vouchers are correct and satisfactory except as above stated.

## FREDERICTON TO CANADA LINE—J. A. Macleuchlan, Supervisor.

No. 11. Grant 1837—	} The Supervisor credits received from Treasury,			
Warrant, No. 231—£2,000.				
No. 238—£540 damages.				
	Balance in hand of the Grants of 1836,			
	stated	£52	0	11½
Add errors in account for 1836,		1	12	11—
				53 13 10½
				£2,593 13 10½

Vouchers are produced for the expenditure of this sum, in making and repairing the Roads and Bridges, £1,690 17 11

Paid to twelve persons amount of Grant for damages sustained by an alteration,	540	0	0	
Paid to two other persons for damages,	34	10	0	
Add commission on Grant,	254	0	0—	2,519 7 11

Balance due the Province, £73 5 11½

The Supervisor having charged the 10 per cent. on the whole amount, the Board of Audit are of opinion that it must be added to this balance, and that in no case should the commission be charged upon sums unexpended, for in the event of such balances being handed over to a successor, the Commission would be twice paid,

8 2 10½

£81 8 10

The account is attested to, and all the vouchers are satisfactory except the following:—

No. 15. Is a contract with Holmes S. Daggett, for building two Bridges, £77. It appears that Daggett has absconded, and the receipt is signed by Charles Nevers, under an affidavit of said Charles Nevers and James Turner, setting forth "that Holmes S. Daggett did transfer unto the said Charles Nevers all monies that may be due the said H. S. Daggett upon the said contract." This is an insufficient acquittance for the payment.

No. 57. Is a payment to John Winterbottom, for damages, £30. The receipt is signed by Stephen Miller, Agent; a proper authority from Mr. Winterbottom is necessary. It will be observed that the Supervisor charges the 10 per cent. commission as well upon the £540 granted "to pay damages assessed by a Jury," as upon the £2,000 granted "for the improvement of the road."

The 20th Section of the Act 7 W IV. Cap. 6, allows the commission on the monies "granted for the use of the roads." The Board of Audit therefore submit whether the £54 commission can be sustained.



# APPENDIX.

## **GREAT ROAD WOODSTOCK TO HOULTON.**—*James A. Maclauchlan, Supervisor.*

No. 12. Grant, 1837—	} The Supervisor credits received per War-			
Warrant No. 236—£250.		rant No. 236.	£250	0 0
Balance in hand 1836,			159	14 1
				£409 14 1
He charges as paid to sundry persons per Receipts,			£368	16 3
Commission,			25	0 0— 393 16 3
				£15 17 10

The Board of Audit are of opinion that the commission on the balance ought not to be charged till the money is expended; if added the balance will be

1 15 4

£17 13 2

Vouchers are produced for all the charges, the account is attested to, and is satisfactory.

## **SAINT JOHN TO NOVA SCOTIA LINE**—*Benjamin L. Peters, Supervisor.*

No. 13. Grant. 1837— } By the report of the Committee on Public and Private  
Warrant No. 221—£1,800. } Accounts, the Supervisor's account made up to the end  
of 1836, stood thus:

Grant in 1835,	£96	2	1	
Ditto 1836,	950	0	0	
Interest received from Treasury,	1	17	6	
				£1,047 19 7
Expended per vouchers then furnished,	£736	8	5	
Commission,	104	12	2—	841 0 7
				£206 19 0

Balance reported,				
The Supervisor credits Grant in 1837, received from Treasury,	£1,800	0	0	
Interest received thereon,	22	3	10	
Penalty received from Patrick M'Laughlan, for non-performance of contract,	20	0	0	
This sum in his hands retained for Justices and Jurors fees, see report last year,	22	6	3½—	1,864 10 1½

Total chargeable to Supervisor, £2,071 9 1½

The Supervisor has produced vouchers for this sum paid on contracts not finished in 1836, 354 0 9

Sundry small payments in account A. 3 0 0

The Supervisor takes credit in 1837, for £1,847 11s.

11d., but vouchers are produced but for this sum,

in which is included £3 10s. paid J. W. Peters

for drawing contract with duplicate, and bond

for new bridge at Trout Creek, 1,411 16 5

The Supervisor then charges for the following services, the propriety of some of which may be considered doubtful, viz:—

Preparing particular plan in duplicate with specification for new bridge at Trout Creek, 3 0 0

3 days exploring from Wetmore's bridge to Groom's bridge, by order of General Assembly, at 20s., and 37s. 6d. expenses, 4 7 6

Exploring proposed alteration on Road to Saint Andrews, by order of Governor and Council, 2 0 0

The Supervisor charges commission on £2,052 17s. 8d., but the Board of Audit only feel justified in allowing it on £1,842 3s. 10d., 184 4 4— 1,962 9 0

Carried forward, £109 0 1½

# APPENDIX.

	<i>Brought forward,</i>	£109	0	1½
The Supervisor has contracted as follows—sundry contracts not completed,	£58	15	6	
Bridge over Trout Creek,	377	0	0—	435 15 6

When these sums are paid, the Province will be entitled in this sum, £326 15 4½  
The Supervisor makes the balance £386 8s. 0½d. The account is attested to, and a report from the Supervisor accompanies it.

## SAINT JOHN TO SUSSEX VALE, via LOCH LOMOND.—*Benjamin L. Peters, Supervisor.*

No. 14. Grant 1837—	} The Supervisor has received from Treasury,			
Warrant No. —£200.		£200	0	0
Interest received thereon,		0	18	5
				£200 18 5
Vouchers are produced for expenditure of,		£157	11	2
Expenses at Sussex Vale when exploring,		0	14	0
5 days exploring for the purpose of improving this line of road.		5	0	0
Commission,		20	0	0—
				183 5 2
				£17 13 3

Contracts are entered into for the above balance. The account is attested to, and a report accompanies it.

Overcharge in commission,				10	0	0
						£27 13 3

This being only a Bye Road, the charge of 10 per cent. commission cannot be sustained, 5 per cent. being the compensation allowed by Law; the Supervisor must therefore be charged with the excess.

## FROM HEAD OF BELLISLE TO SAINT JOHN.—*Caleb Wetmore, Supervisor.*

No. 15. Grant, 1837—	} The Supervisor credits,				£125	0	0
Warrant No. 226—£125.		He charges balance due him last year £23 16s. 2d.; but by reference to report of Committee on Public and Private Accounts, it is					
					£24	14	6
He produces satisfactory vouchers for this sum expended on the Road,					125	17	2
Commission,					12	10	0
							£163 1 8
Deduct sundry small errors in calculations,					0	3	8—
							162 18 0
							£37 18 0

The Supervisor has contracted with James Conley for work not finished,						3	10	0
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Balance due Supervisor,						£41	8	0
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The account is attested to, and is satisfactory. A report accompanies it, stating the reasons for exceeding the grant, and recommending two alterations, viz. One through the neighbourhood of Major Dann and others, estimated cost £200; the other at Salmon Creek near Andrew Hennigar's, estimated cost £100.

F. P. ROBINSON,  
H. G. CLOPPER.

Office of Audit, Fredericton, 30th January, 1838.

REPORT

# APPENDIX.

## REPORT

*Upon sundry Accounts furnished by Commissioners of Bye Roads, &c.*

### CARLETON.

No. 1. Grants, 1837.

JOHN DIBBLEE, Esquire, Commissioner.

Warrant No. 337. £15. South West Branch Maduxnikick to Houlton Road.

- 15. Peabody's Mills to Maduxnikick Falls.
- 15. Richmond Corner to Peabody's Mills.
- 15. Marsh's to Richmond Road.
- 12. Peabody's Mills to Hatfield's.
- 12. Perley's Mills to Gidney's.
- 20. Richmond Corner to Blair's.
- 13. M'Kenzie's to Killeen's.
- 12. Blair's to Green Lake.
- 40. Judge Beardsley's to Gallagher's.
- 60. Eel River to Woodstock Ferry.
- 20. Glebe Lot, Woodstock to a back Settlement.
- 15. J. M'Lennan's to Hillman's.
- 10. William Fleming's to K. Henderson's.

— The Commissioner credits received from the Treasury,  
£274. £274 0 0

By report of Committee of Public and Private accounts of last year,  
the Commissioner stands charged with balances, £2 5s. 4d.  
and £21 14s. 7d.

Vouchers are produced for expenditure of, 238 13 11  
Commission on £274, 13 14 0—252 7 11

Balance due by Commissioner, £45 12 0.  
The account is attested to, and is satisfactory.

No. 2. Grants 1836.

WILLIAM HALLETT, Commissioner.

Warrant No. 195. £15. Bishop's to Munick.

- 30. Tobique to Peters' Farm.
- 15. Salmon River to Tobique.

— The Commissioner credits received from the Treasury,  
£60. £60 0 0

Vouchers are produced for expenditure of, £25 15 0  
Commission, 3 0 0—28 15 0

To be accounted for, £31 5 0  
The Commissioner has made sundry charges for which no  
vouchers are produced, viz:—

- 37 days work at 5s. £9 5 0
- 31 days work, at 5s. 7 15 0
- Contract with James Haney for building bridge  
near Salmon River, 5 5 0
- Contract with Thomas Dixon for building bridge  
near Grand Detour, 7 7 6
- Contract with William Braal for digging down  
hill near Little River, 1 12 6—31 5 0

The Commissioner states that the last three contracts will be completed by 1st June  
next. The account is attested to.

No. 3. Grant 1837.

SAMUEL ESTABROOKS, Commissioner.

Warrant No. 328. No 1. £200. Bridge over Beckaguimik.

- " 2. 10. Clark's to rear of back Settlement.
- " 3. 20. Cogswell's to Newbury.
- " 4. 35. Shaw's to Beckaguimik.
- " 5. 18. Bridge over Cold Stream.
- " 6. 10. Palmer's to Mallery's.
- " 7. 12. Mallery's to Jackson Town.

— The Commissioner has received from Treasury.  
£305. Carried forward, £305 0 0

# APPENDIX.

			<i>Brought forward,</i>			£305	0	0
He produces vouchers for the expenditure as follows :								
No. 1.	Samuel Nevers, Beckaguimick Bridge,	£190	0	0				
" 2.	Sundry persons	"	9	10	0			
" 3.	"	"	19	0	2			
" 4.	"	"	33	5	0			
" 5.	D. H. Estabrooks,	"	17	2	0			
" 6.	Sundry persons,	"	9	9	0			
" 7.	"	"	11	7	7			
Commissions,			15	5	0	—	304	18 9
Due the Province,							£0	1 3
The accounts are attested to, and are satisfactory.								

## YORK.

No. 1. Grants 1836.	ROBERT POWER, Esquire, Commissioner.								
Warrant No. 207.	£20.	New Road from Royal Road to King Settlement.							
	10.	From Royal Road to Tay Settlement.							
	—	He credits received from the Treasury,				£30	0	0	
	£30.	Paid under four receipts,				30	0	0	

No commission is charged, and the accounts are attested to. In answer to a query from the Board of Audit, Mr. Power states that the requisition of the second Section of the Act was complied with, and the work let by Auction. It appears that the Commissioner expended the ten pound grant by mistake on another Road in the neighbourhood, of which Mr. Jouett was Commissioner to expend a like sum of ten pounds, and that Mr. Jouett expended his grant on Mr. Power's Road.

No. 2. Grants 1837.	JOHN CHRISTIE, Commissioner.								
Warrant No. 270.	£7 10.	From Grant's to Campbell Settlement.							
	40 0.	Through upper Caverhill Settlement.							
	30 0.	To lower Caverhill Settlement.							
	35 0.	From Adam Jackson's to River Saint John.							
	15 0.	" " " to James Hagerman's.							
	15 0.	James Hagerman's to River Saint John.							
	25 0.	Bridge over Christie's Mill Stream.							
	—	He credits received from the Treasury,				£167	10	0	
	£167 10.	He charges paid under 18 receipts,	£159	6	3				
		Commission,				8	7	6	— 167 13 9
		Balance due the Commissioner,				£0	3	9	

Receipt No. 17, for £5 18s. 6½d. is insufficient for want of a witness. The account is attested to, and is in other respects satisfactory.

No. 3. Grants 1836.	JOHN CAMBER, Commissioner.								
Warrant No. 203.	£40.	Bridge across Kelly's Creek.							
	30.	" " Long's Creek.							
	15.	Road from Long's Creek to Kelly's Creek.							
	—	£85.							
Grants 1837.	£30.	Bridge across Kelly's Creek.							
Warrant No. 269.	25.	" " Long's Creek.							
	25.	Road from Long's Creek to Kelly's Creek.							
	15.	Road through Smithfield Settlement.							
	—	The Commissioner credits received,				£180	0	0	
	£95.	He charges paid under 7 receipts,	£171	10	2				
		Commission,				8	9	10	— 180 0 0

The account is attested to, and is satisfactory.

No. 4. Grants 1835.	DAVID PICKARD, Commissioner.								
Warrant No. 187.	£15 0.	Bridge over Jones' Mill Stream.							
	15 0.	Jones' Mill to Cardigan.							
	£30 0.	Carried forward.							

# APPENDIX.

£30 0. *Brought forward.*

7 10. Estey's to Burt's.

10 0. Christy's to Burt's Mill.

20 0. Muzerall's Creek to Parish line.

— The two first grants were paid over by the Commissioner

£67 10. to Alex. Ross, £30, per receipt dated 28th July, 1836.

(See this accounted for, No. 11.)

The Commissioner charges himself with the other three grants, £37 10 0

Paid per receipts, £7 2 6

9 10 0

18 19 0—£35 11 6

Commission,

1 17 6—37 9 0

Balance due the Province,

£0 1 0

The account is attested to, but some of the vouchers are unsatisfactory for want of witnesses where the parties could not write.

No. 5. Grants 1836.

ALEXANDER ROSS, Commissioner.

Warrant No. 206. £15. Bridge over Jones' Mill Stream.

20. Jones' Mill to Cardigan through Bird Settlement.

10. White's to Sisson's.

10. Christie's to Burt's.

20. Currie's to Hallett's.

25. Bridge at Pickard's Mill.

— The Commissioner has received from Treasury, £100 0 0

£100. He has produced vouchers for expenditure

of £95 1 3½

Commission, 5 0 0—100 1 3½

Balance due Commissioner,

£0 1 3½

The account is attested to, and is satisfactory.

No. 6. Grants 1837.

MOSES PICKARD, Commissioner.

Warrant No. 271. £25 0. Mactuquack to Scotch Lake Settlement.

15 0. Jewett's Mills to Ridge Road.

25 0. " " to River Saint John.

15 0. " " to M'Keen's.

7 10. Scotch Settlement to Lyon's.

60 0. Mactuquack to Muzerall's Ferry.

30 0. Cardigan to Jones' Mill.

25 0. Royal Road to King Settlement.

10 0. White's to Sisson's.

15 0. Tripp's to Yerxa's.

10 0. Lawrence to Burt's.

7 10. Christy's to Burt's.

15 0. Cardigan to Royal Road.

30 0. Bridge across Tay.

7 10. Road to Hurlett Settlement.

20 0. Mitchell's to Jackson's.

25 0. Bridge over Buller's Creek.

— The Commissioner has received from Treasury,

£342 10. £342 10 0

He charges as paid under sundry vouchers, £325 7s. 6d., but

this is reduced by miscalculation to £325 6 1

Commission, 17 2 6—342 8 7

Balance due the Province,

£0 1 5

The account is attested to, and the vouchers satisfactory with one exception, where a witness is wanting, the party not being able to write.

No.

# APPENDIX.

No. 7. Grant 1836. DANIEL DUFF, Commissioner.  
Warrant No. 210. £75. Nashwaak Road.  
Grants 1837. 250. Road round Weade's Hill.  
Warrant No. 272. 20. Israel Whitlock's to head of Pennyock.  
25. Pennyock Bridge.  
15. Smith's Mills to Peterson's Ferry.  
— The Commissioner credits received from Treasury,  
£385. £385 0 0  
He produces receipts for sundry payments to amount of £302 2 9  
He also charges for sundry services £60 14s. 1d., but  
no vouchers whatever being produced, the charge  
cannot be sustained.  
Commission 5 per cent. 19 5 0—321 7 9

Balance to be accounted for, £63 12 3

The vouchers furnished for the expenditure of the £302 2s. 9d. are by no means satisfactory, inasmuch as they are mere receipts for sums in gross without any particulars of the nature or quantity of work done, neither is it stated whether done by contract or otherwise. The Commissioner has been required to furnish more particular and satisfactory information. The account is attested to.

No. 8. Grants 1837. JOHN INGRAHAM, Junior, Commissioner.  
Warrant No. 267. £40. John Gray's to Lake George.  
25. Base line, Magundy, to School House.  
30. On do. from No. 16 to No. 1.  
15. From School House to Magaguadavic Ridge.  
— The Commissioner credits received from the Treasury,  
£110. £110 0 0  
He produces receipts for payment of £104 10 0  
Commission, 5 10 0—110 0 0  
The account is attested to, and is quite satisfactory, with the exception of two receipts for £2 2s. 6d. requiring witnesses.

No. 9. Grants 1837. HENRY JONES, Commissioner.  
Warrant No. 276. *Improving the navigation of the River Saint John.*  
£97. To remove Rocks at Ingraham's Point.  
50. To improve the Channel near J. Dibblee's.  
50. To remove Rocks between Munick and Morehouse's.  
— The Commissioner credits received from Treasury,  
£197. £197 0 0  
Also a balance due last year £117 7s. 6d., but by reference to report of Committee on Public and Private Accounts, it is 128 3 9—£325 3 9  
He produces vouchers for the expenditure of this sum, partly contracts and part days work, at 10s., with sundry Blacksmith work, &c. &c. £164 14 7  
The Commissioner charges 10 per cent. commission,  
£16 9s. 5d. when 5 per cent. can only be sustained, 9 17 0—174 11 7

Balance unexpended, but which the Commissioner states to be contracted for, but not completed, in consequence of the height of water, £150 12 2

The account is attested to. Vouchers Nos. 7 and 8, £21 10s., imperfect for want of witnesses.

No. 10. Grant 1837. WILLIAM C. JOSLIN, Commissioner.  
Warrant No. 267. £30. Courser's line to Kitchen's Creek.  
The Commissioner credits received from Treasury, £30 0 0  
He produces a voucher for 152 rods, at 3s. 10d. per contract, £28 10 0  
Commission, 1 10 0—30 0 0  
The account is attested to, and is satisfactory. No.

# APPENDIX.

No. 11. Grants 1836. ALEXANDER ROSS, Commissioner.  
 £15. Bridge over Jones' Mill Stream.  
 15. Jones' Mill to Cardigan.  
 — The Commissioner credits this sum received from David  
 £30. Pickard, £30 0 0  
 Vouchers are produced for the expenditure of £28 10 0  
 Commission, 1 10 0—30 0 0  
 The account is attested to, and is satisfactory.

## SUNBURY.

No. 1. Grant 1837. FREDERICK PHILLIPS, Commissioner.  
 Warrant No. 281. £20. William Dow's to Wilmot's Farm.  
 The Commissioner credits received from the Treasury, £20 0 0  
 He charges paid under two receipts for making 185 rods of  
 Road, £19 0 0  
 Commission, 1 0 0—20 0 0  
 The account is attested to, and is satisfactory.

No. 2. Grant 1837. FREDERICK PHILLIPS, Commissioner.  
 Warrant No. 281. £40. Bridge over Rushagonis.  
 The Commissioner credits received from Treasury, £40 0 0  
 Paid S. Peabody per receipt, £38 0 0  
 Commission, 2 0 0—40 0 0  
 The account is attested to, and is satisfactory.

No. 3. Grant 1837. FREDERICK PHILLIPS, Commissioner.  
 Warrant No. 281. £20. Andrew Smith's to James Johnston's.  
 The Commissioner credits received from Treasury, £20 0 0  
 He charges paid under seven receipts, £19 0 8  
 Commission, 0 19 4—20 0 0  
 The account is attested to, and is satisfactory.

No. 4. Grant 1837. FREDERICK PHILLIPS, Commissioner.  
 Warrant No. 281. £60. Stephen Peabody's to William Dow's.  
 The Commissioner credits received from Treasury, £60 0 0  
 He charges paid under eight receipts, £57 1 9  
 Commission, 2 18 3—60 0 0  
 The account is attested to, and is satisfactory.

No. 5. Grants 1837. JOHN BAILEY, Commissioner.  
 Warrant No. 282. £50 0. Kirkpatrick's to Fall Stream.  
 12 10. Bailey's to Block House.  
 — The Commissioner credits received from the  
 £62 10. Treasury, £62 10 0  
 Vouchers are produced for expenditure of £59 8s. 6d. Less  
 overcharge on voucher No. 6, 2s. 2d., £59 6 4  
 Commission, 3 2 6—62 8 10  
 £0 1 2  
 The account is attested to, and is satisfactory.

No. 6. Grants 1837. JAMES BURPE, Commissioner.  
 Warrant No. 279. £125. French Lake to Little River Mills.  
 50. Oak Point to Sand Point.  
 20. Burpe's Mill through Gordon Settlement.  
 20. John Bell's to Burpe's Mill.  
 — The Commissioner credits received from the  
 £215. Treasury, £215 0 0  
 Ditto interest, 1 18 6  
 216 18 6  
 He produces vouchers for expenditure of £206 1 6  
 Commission, 10 17 0—216 18 6

## APPENDIX.

The account is attested to, and is satisfactory with the following exceptions, viz:—

Voucher No. 3, £6, witness required; No. 6, £24 10s. 6d., witness required; No. 14, £5 13s. 4d., witness required; No. 18, £2 17s. 11d., not signed. To be accounted for, £2 17s. 11d.

No. 7. Grants 1837.

WILLIAM SMITH, Commissioner.

Warrant No. 278. £50 0. George Boon's to South Branch Bridge.  
 10 0. E. Cogswell's to Gary Road.  
 30 0. D. Wood's to South Branch Road.  
 15 0. W. Armstrong's to James Mills'.  
 10 0. J. Smith's to Gary Road.  
 12 10. J. Mercereaux to Shaw's Creek.  
 50 0. Richard Kimball's Farm to J. Bell's.  
 150 0. Oromocto to Gagetown.

The Commissioner credits received from Treasury,	
£327 10.	£327 10 0
He produces vouchers for expenditure of Commission,	£284 5 2 16 7 6—300 12 8
	£26 17 4
Add overcharge voucher No. 15,	£0 0 4
" " " 31,	0 2 0— 0 2 4
	£26 19 8

Balance to be accounted for,

The Commissioner states that the above balance will be applied to payment of sundry unfinished contracts. The account is attested to, and is satisfactory.

## QUEENS.

No. 1. Grants 1836.

WILLIAM FOSHAY, Commissioner.

Warrant No. 183. No. 1. £15. Sand's Creek to Rakston's.  
 " 2. 10. Young's Cove to Cumberland Bay.  
 " 3. 10. John M'Lean's to Peter Day's.  
 " 4. 25. Bridge on Lot No. 1.  
 " 5. 50. Cumberland Bay to head of Grand Lake.  
 " 6. 40. Grand Lake to M'Donald's.  
 " 7. 20. Bridge over Brook at Young's Cove.  
 " 8. 20. Sand's Creek to Washademoak.  
 " 9. 30. Bridge over Slip's Brook.  
 " 10. 20. Mullin's to Nerepis Brook.  
 " 11. 10. Fowler's to Carpenter's.  
 " 12. 10. Lots 2 and 3 to south east side of Grand Lake.  
 " 13. 10. Burton's to Burpe's.

The Commissioner credits received from	
£270. Treasury,	£270 0 0
He also received from James M'Donald balances in his hands, as reported by Committee on Public and Private Accounts, £10 16s. 11d.	10 16 3
The Commissioner must also be charged with balance in his hands of grants in 1835, reported by Committee on Public and Private Accounts,	4 6 2—285 2 5
He produces fifteen vouchers for expenditure of £270 3s.; deduct overcharge in voucher No. 12, £1 17s. 6d.	£268 5 6
Commission on £270,	13 10 0—281 15 6
	£3 6 11

Balance due the Province,

The account is attested to, and is satisfactory.



# APPENDIX.

No. 1. Grants 1837.		WILLIAM FOSHAY, Commissioner.	
Warrant No. 434.	No. 1.	£100.	Dightman's Brook to Cox's Mill.
	" 2.	10.	M'Lean's to Roulston's.
	" 3.	20.	M'Lean's to Cumberland Bay Bridge.
	" 4.	50.	Head of Grand Lake to M'Donald's.
	" 5.	10.	Main Road to Foster's.
	" 6.	15.	Mullin's to Nerepis Brook.
	" 7.	25.	Bridge over Robinson's Brook.
	" 8.	25.	" " Cory's "
	" 9.	20.	" " Stream between Caldwell's & M'Donald's.
	" 10.	20.	" " Burpe's Brook.
	" 11.	10.	Grand Lake to Washademoak Lake.
	" 12.	10.	White's Ferry to Corey's.
	" 13.	10.	Hamm's to M'Cawley's.
	" 14.	10.	Grand Lake Road to Picket's Cove.
	" 15.	10.	Salmon Creek to the Mill.
	" 16.	10.	Worden's to Shearer's.
	" 17.	20.	New Canaan to Butternut Ridge.
	" 18.	20.	Bridge over Crannel's Brook.
	" 19.	10.	Bridge over a Creek near White's.
	" 20.	15.	Grand Lake near Brigg's through new Settlement.
	—		Warrant No. 434, in favor of the Commissioner for
		£420.	this amount, £420 0 0
Deduct Grant No. 17, which was paid over to J. Humphrey's,			
and accounted for by him,			20 0 0
To be accounted for by Mr. Foshay,			£400 0 0
No. 2. Grants 1837.		WILLIAM PENNERY, Commissioner.	
Warrant No. 432.	£20.	Slipp's to Sanburn's Mills.	
	20.	M'Conkey's to Redstone Mills.	
	15.	Scovil Roberts' to New Ireland.	
—		The Commissioner has received from Treasury, £55 0 0	
£55.		He produces vouchers for expenditure of this	
		sum,	£52 4 8
		Commission,	2 15 0—54 19 8
			£0 0 4
Due the Province,			
The account is attested to, and is satisfactory.			
No. 3. Grant 1837.		NATHANIEL VAIL, Commissioner.	
Warrant No. 433.	£30.	Vail's to Nerepis Road along Spry Brook.	
He credits received from the Treasury,			£30 0 0
Vouchers are produced for the expenditure of		£28 11 2	
Commission,		1 10 0—30 1 2	
			£0 1 2
Due the Commissioner,			
The account is attested to, and is satisfactory.			
No. 4. Grant 1836.		JOHN HUMPHRIES, Commissioner.	
Warrant No. 190.	£25.	New Canaan to Butternut Ridge.	
	25.	Butternut Ridge towards Studholm's Mill.	
Grant 1837.	20.	Butternut Ridge to Corn Ridge.	
Warrant No. 440.	10.	Cole's to New Canaan.	
	20.	New Canaan to Butternut Ridge, (part of Warrant No. 434,	
—		paid over by W. Foshay, Esquire.)	
£100.		The Commissioner credits received from Treas-	
		ury,	£95 0 0
To which must be added £5 short credited in the Grant			
1836, Butternut Ridge to Studholm's Mill,		5 0 0	
Carried forward,			£100 0 0

## APPENDIX.

	<i>Brought forward,</i>	£100 0 0
Vouchers are produced for expenditure of £90 17s. 10d. Less		
sundry overcharges, 16s. 11d.	£90 0 11	
Commission,	5 0 0—	95 0 11

Balance due the Province, £4 19 1

The account is attested to.

No. 5. Grants 1837.	JOHN INCH, Commissioner.
Warrant No. 430. £20. Coot Hill Church to County line.	
10. School House to Paysley's.	
— The Commissioner credits received from Treasury,	
£30.	£30 0 0
He produces vouchers for expenditure of	£27 8 1
Commission,	1 10 0—28 18 1

Balance due the Province, £1 1 11

The Commissioner has made contracts for the balance, which are not completed.

The accounts are attested to, and are satisfactory.

No. 6. Grants 1837.	ISAAC CLARKE, Commissioner.
Warrant No. 439. £30. Public Landing Lewis' Cove to Post Road.	
20. " " to Shaw's Mill.	
20. Oak Point to Washademoak.	
— The Commissioner has received from Treasury,	£70 0 0
£70. He produces vouchers for expenditure of £66 10 0	
Commission,	3 10 0—70 0 0

The account is attested to, and is satisfactory.

### KINGS.

No. 1. Grants 1837.	THOMAS FLEWELLING, Commissioner.
Warrant No. 478. £11 11 6. James Flewelling's to T. B. Flewelling's.	
10 0 0. To cut down the Hill &c. near P. V. Flaglor's.	
8 8 6. Bridge near Caleb Flewelling's.	
— He credits received from Treasury,	£30 0 0
£30 0 0. He produces receipts for expenditure	
of	£28 10 6
Commission,	1 9 6—30 0 0

The account is attested to, and is satisfactory.

No. 2. Grants 1837.	ISAAC HAVILAND, Commissioner.
Warrant No. 480. No. 1. £10. Yorkshire Road to R. Wayland's.	
" 2. 10. Thomas Wallace's to Cheyne's on Road to Nerepis.	
" 3. 10. James M'Keen's to Main Road.	
" 4. 10. Settlement in rear of Greenwich Hill to the Shore.	
" 5. 10. To cut down Hill &c. westward of M'Keel's.	
— He credits received from the Treasury,	£50 0 0
£50. He has expended upon the first four	
Grants £38. Less error, 3d. in	
No. 4.	£37 19 9
Commission,	2 0 0—39 19 9

Balance due the Province, £10 0 3

The accounts are attested to, and are satisfactory. No account is rendered of the last mentioned Grant, No. 5.

No. 3. Grants 1837.	JOHN JEFFRIES, Commissioner.
Warrant No. 375. £10. Near Jeffries' to Linden Road.	
10. Cedar Swamp Road.	

£20. *Carried forward.*

# APPENDIX.

£20.	<i>Brought forward.</i>				
10.	South Branch to Goshen.				
—	The Commissioner credits received from Treasury,				
£30.			£30	0	0
	He produces receipts for	£28	10	0	
	Commission,	1	10	0—30	0 0

The accounts are attested to, and are satisfactory.

No. 4. Grants 1837.	CORNELIUS PARLEE, Commissioner.				
Warrant No. 372.	£15. Loch Lomond to Shepody.				
	10. Cedar Camp Road—Mires' to Chambers'.				
	10. Hill between J. and E. Parlee's.				
—	He credits received from the Treasury,		£35	0	0
£35.	Paid to sundry persons,	£33	4	8	
	Commission,	1	15	0—34	19 8
	Balance unexpended,			£0	0 4

Satisfactory vouchers are produced, and the accounts are attested to.

No. 5. Grants 1837.	DAVID WETMORE, Junior, Commissioner.				
Warrant No. 346.	£15. Justus Wetmore's to Long Reach.				
	15. Bates' Mills to Neck Creek.				
	10. Neck Road to Harrison's.				
	20. Stephen Wetmore's to solid Bridge,				
—	He credits received from the Treasury,		£60	0	0
£60.	Paid to sundry persons on the three first				
	Grants,	£38	3	9½	
	Commission,	2	0	0—40	3 9½
	Balance in Commissioner's hands,			£19	16 2½

Satisfactory vouchers are produced, and the accounts are attested to. The Commissioner states under date 22d December, 1837, that a contract for the last mentioned Grant has been made, and the work nearly completed. He is therefore unable to furnish the account at present.

No. 6. Grants 1837.	JAMES COTTER, Commissioner.				
Warrant No. 353.	£50. Bridge over Hammond River.				
	10. Road from County Line to Hammond River.				
	10. South side from Smith's Mills.				
—	He credits received from the Treasury,		£70	0	0
£70.	Paid sundry persons,	£66	10	0	
	Commission,	3	10	0—70	0 0

Satisfactory vouchers are produced for all the charges save one:—paid Samuel Lyne 6s. for two days work, for which there is no receipt; and the accounts are attested to. The Commissioner states that he has taken bonds for the completion of any unfinished work next spring.

No. 7. Grants 1837.	JOHN T. COFFIN & JOHN SMITH, Esquires, Commissioners.				
Warrant No. 350.	£15. Nerepis Road to Mitchell's.				
	10. Findley Settlement to River.				
	20. The Church to Salmon Rock.				
	10. Eastern side of Nerepis to Cheyne's				
	10. Cheyne Settlement to Main Road.				
	15. Cronk's to Kemball Road.				
	15. School House to Land's End.				
	20. Lyons' to Milkish.				
	10. Bridge over M'Coll's Creek.				
	10. Hare's to Dowling's.				
	10. Hare's to Cove Settlement.				
	10. Across Kennebecasis Island.				
—	The Commissioners have received from Treasury,				
£155.	<i>Carried forward,</i>		£155	0	0

# APPENDIX.

	<i>Brought forward,</i>	£155	0	0
They charge as paid under 46 vouchers,				
	£141	8	1	
Cash in hand to be paid B. Bunnell, when the Bridge over M'Coll's, Creek is finished,		10	0	0
Paid James B. Lyon, for superin- tending on the Milkish side of the Parish of Westfield,		4	5	0
			155	13 1
Over expended,			£0	13 1

No commission is charged. The account is not attested to, and to some of the receipts where the parties could not write there are no witnesses. The Commissioners however in their official capacity, the former as Justice of the Common Pleas, and the latter as Justice of the Peace, subscribe a declaration, that they had justly and duly performed the service entrusted to them.

No. 8. Grants 1837.	JOHN N. T. WHITE, Commissioner.			
Warrant No. 345.	£20. Seeley's Point to James White's.			
	15. James Roulston's to J. White's Mill Stream.			
	15. White's Mills to Long Reach.			
—	The Commissioner has received from Treasury,	£50	0	0
£50.	He produces vouchers for the last mentioned			
	Grant,	£14	5	0
	Commission,	£0	15	0
			15	0 0

Remaining unexpended, £35 0 0

The accounts attested to, and is satisfactory. No accounts are furnished for the two first mentioned Grants.

No. 9. Grant 1837.	E. G. N. SCOVIL, Commissioner.			
Warrant No. 361.	£20. English's to Mill Stream Bridge.			
	10. Bridge near Scovil's.			
—	The Commissioner credits received from the Treasury,			
£30.		£30	0	0
	Paid sundry persons,	£28	10	10
	Commission,	1	10	0
			30	0 10
	Due Commissioner.		£0	0 10

The accounts are attested to, and are satisfactory.

No. 10. Grant 1837.	EDWARD FRYARS, Commissioner.			
Warrant No. 378.	£10. Ward's Creek Road.			
	The Commissioner credits received from the Treasury,	£10	0	0
	It appears that the whole of the Grant was expended by days			
	work, at 4s. per day,	£9	7	4
	Commission,	0	10	0
			9	17 4

Due the Province, £0 2 8

The account is attested to. Voucher No. 1, for 15s. 5d. is insufficient for want of a witness to signature.

No. 11. Grants 1836.	CABLEB WETMORE, Commissioner.			
Warrant No. 213.	No. 1. £10. Midland Settlement to Seeley's.			
	" 2. 10. Perry's to Dickson's.			
	" 3. 10. Kierstead's Mill Dam to School House.			
	" 4. 10. Corey's to Seeley's.			
	" 5. 10. Grey's to Ganong's.			
	£50. Carried forward.			

## APPENDIX:

**£50. Brought forward.**

No. 6. 10. Neck Road to Cosburn's.  
 " 7. 20. Seeley's Point to James White's.  
 " 8. 25. Finger Board, near Heald's, to Hay's.  
 " 9. 20. Baxter's to Jackson's.

— The Commissioners have received from the Treasury,  
£125.

	£125	0	0
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He charges as paid on grants Nos. 7, 8 and 9, under sundry vouchers filed last year (see Report of Committee of Public and Private Accounts),	£22	3	3	
Expended in 1837, for which vouchers are produced,	57	3	1	
Commission,	6	5	0	—85 11 4
				<hr/> £39 8 8

The Commissioner must also be charged with this sum, short credit on Grant No. 5, Grey's to Ganong's, which is for £15. (The warrant issued for £10 instead of £15 by mistake.)

The Commissioner has contracted for all the work, and he is required to produce receipts, as follows :—

On Grant No. 4,	£9	10	0			
“ “ 6,	5	10	0			
“ “ 7,	2	6	1			
“ “ 8,	10	9	3			
“ “ 9,	11	13	4	—39	8	8

**The account is attested to.**

**No. 12. Grants 1837.      CALEB WETMORE, Commissioner.**

**Warrant No. 351.** No. 1. £10. Smith's Mills to Loch Lomond.  
 " 2. 10. Saunders' to Hammond River Bridge.  
 " 3. 10. Dickson's to Sherwood's.  
 " 4. 10. Mayne's to Roots'

— The Commissioner has received from Treasury,  
£40. £40 0 0

He charges paid,	£16	13	9
Commission,	2	0	0—18 13 9

<b>Balance,</b>	<b>£21   6   3</b>
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The work is contracted for, and vouchers will be required for this amount. The account is attested to.

**No. 13. Grants 1837. DANIEL CAMPBELL, Commissioner.**

**Warrant No. 354.** No. 1. £10. Dean's to Baxter's.  
 " 2. 10. Baxter's to Innis'.  
 " 3. 10. Ross' to Stewart's Mill.  
 " 4. 10. Deforest's to Sherwood's Mills.  
 " 5. 10. Deforest's to Fowler's.  
 " 6. 10. Baxter's to Sussex Vale.  
 " 7. 10. Innis' to Toll Bridge.

—	The Commissioner credits received from the Treasury,	£70	0	0
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1st Grant expended,	£8 17 11	
Commission,	0 10 0	
	<hr/>	£9 7 11.
2d Grant expended,	£9 8 9	
Commission,	0 10 0	
	<hr/>	9 18 9.

*Carried forward,*   £19   6   8   £70   0   0

# APPENDIX.

	<i>Brought forward,</i>	£19	6	8	£70	0	0
3d Grant expended by days work, at 4s. per day, and 5 days of Commissioner, at 4s. 5d. per day,	£9 10 0						
Commission,	0 10 0						
		10	0	0			
4th Grant expended,	£9 10 10						
Commission,	0 10 0						
		10	0	10			
5th Grant expended,	£9 10 0						
Commission,	0 10 0						
		10	0	0			
6th Grant expended,	£9 10 0						
Commission,	0 10 0	10	0	0	59	7	6
					£10	12	6

No account is furnished for the last grant.

The accounts are attested to, and the vouchers very satisfactory except one in Grant No. 4, which is not signed—Cors. Harrigan, £2,

To be accounted for, £12 12 6

No. 14. Grants 1837. WILLIAM COATES, Commissioner.

Warrant No. 370. No. 1. £8 10. Goslin's to Post Road.  
 " 2. 10 0. Newland's to Mill Stream.  
 " 3. 10 0. Thomas Coates' to Main Road.  
 " 4. 10 0. Jordan Mountain to Carson Settlement.  
 " 5. 20 0. Beech's to Butternut Ridge.

£58 10. The Commissioner has received from Treas-  
 sury, £58 10 0

Vouchers are produced for the following expenditure :—

Grant No. 1,	£8	2	1	
" " 2,	9	10	0	
" " 3,	9	10	0	
Commission charged,	1	7	11	—28 10 0

To be accounted for, £30 0 3

The accounts are attested to, and are very satisfactory.

No. 15. Grant 1837. LEWIS PICKETT, Commissioner.

Warrant No. 358. £10. Scotch Church to Picket's Mills.  
 The Commissioner credits received from the Treasury, £10 0 0  
 He produces vouchers for the expenditure of £9 10 3  
 Commission, 0 10 0—10 0 3  
 £0 0 3

The account is attested to, and is satisfactory.

No. 16. Grants 1837. JOHN DRURY, Commissioner.

Warrant No. 371. £20 0. Ellison's to Parish of Norton.  
 10 0. Fraser's to Killin's.  
 16 10. Campbell's to Baxter's.  
 15 0. M'Monagle's to Campbell Settlement.  
 £61 10. The Commissioner credits received from the  
 Treasury, £61 10 0  
 He produces vouchers for expenditure on the three first  
 grants, £44 4 0  
 Commission, 2 6 0—46 10 0

Grant unexpended, £15. The Commissioner gives very satisfactory reasons why the last grant was not expended; he intends completing it early in the spring. The account

## APPENDIX.

account is attested to, and vouchers satisfactory, with the exception of two for £1 6s. 8d. which require to be witnessed. The Commissioner states a balance to be due Daniel Campbell of 16s. 9d. under the grant from Campbell's to Baxter's.

**No. 17. Grants 1836.**

**JOHN M'KEEL, Commissioner.**

Warrant No. 215. No. 1. £10. Joseph M'Keel's to Bridge at Jones' Creek.

“ 2. 10. Cross Roads to Widow Starritt's.  
“ 3. 15. Cross Roads to James Bulyea's, Junior.  
“ 4. 10. Thomas Wallis' to Parish Line.  
“ 5. 10. John Trott's to Yorkshire Road.  
“ 6. 10. John Crabb's to the Shore.  
“ 7. 15. Pywell's to Queen's County Line.  
“ 8. 10. Widow Lynch's to Flannagan's.

—	The Commissioner credits received from Treasury,	£90
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Vouchers are produced for the expenditure of	£85	9	7
Commission.	4	10	0—89 19 7

Due the Province,	£0	0	5
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The accounts are attested to, very clearly stated, and satisfactory.

## No. 18. Grants 1837.

**JOHN M'KEEL, Commissioner.**

Warrant No. 479. No. 1. £15. Bulyea's to Cross Road.

" 2. 10. Campbell's to Bogle's.  
 " 3. 15. Jackson's to Queen's County Line.  
 " 4. 10. Hamilton's to " " "

—	The Commissioner credits received from Treasury	£50
---	---	-----

Vouchers are produced for expenditure of Commission.	£47 10 9½			
	2 10 0—50	0	9½	

Due the Commissioner, £0 0 9½

**The accounts are attested to, and are satisfactory.**

## No. 19. Grants.

**JAMES TOOLE, Commissioner.**

Warrant No. 477. £10. Tennant's Cove to Back Land.

10. To widen Road inside Beardsley's Rock.

— The Commissioner has received from Treasury, £20 0 0

**£20. Vouchers are produced for expenditure of £19 0 0**

Commission,	100-20	0.0
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**The account is attested to, and is satisfactory.**

**No. 20. Grants 1837.**

**JAMES CAMPBELL, Commissioner.**

**Warrant No. 367. £10. John C. Robinson's to James Campbell's.**

10. Isaac Fowler's to Marshall's.

10. Bridge near Samuel Lackey's.

— The Commissioner credits received from the Treasury, £30.

Vouchers are produced for the expenditure of	£28	10	0			
Commission,	1	10	0—30	0	0	0

**The account is attested to, and is satisfactory.**

**No. 21. Grants 1837.**

**PHILIP DANN, Commissioner.**

**Warrant No. 348. £10. Picket's Mills to Bellisle Bay.**

10. Bellisle Bay to Midland's.

20. Road up Ketchum's Brook.

10. Corey's to Seeley's.

— The Commissioner credits received from Treasury.

£50.	Carried forward,	£50	0	0
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# APPENDIX.

	<i>Brought forward,</i>	£50	0	0
Vouchers are produced for the expenditure of the two first				
Grants,	£19	0	11	
Commission,	1	0	0—20	0 11
To be accounted for,				£29 19 1
The Commissioner states that the two last Grants were not expended. The account is attested to, and is satisfactory.				

## SAINT JOHN.

No. 1. Grants 1837.	BENJAMIN L. PETERS, Commissioner.
Warrant No. 381. £100.	Blakslee's to Little River.
	20. Little River to Loch Lomond.
	30. Road to Sand Point.
	45. Little River to Mispick Mills.
	30. Mispick Mills to Cape Spencer.
	30. Through Golden Grove Settlement.
	20. Frog Pond to Bridge at Cody's.
	20. Cody's to Forks at head of first Lake.
	45. Rear of Cody's to Quaco Road.
	20. Delaney's to Kennebecasis.
	— The Commissioner credits received from Trea-
	£360. sury, £360 0 0
Amount disallowed in accounts for 1836,	38 5 7
Balance due by Commissioner in 1836, as reported	
by Committee on Public and Private Accounts,	45 12 8—£443 18 3
He produces vouchers for the expenditure of this sum, being	
incomplete contracts of 1836,	£36 4 8
Ditto ditto, contracts for 1837,	174 19 5
Commission on £360,	18 0 0— 229 4 1
Balance to be accounted for,	£214 14 2
The Commissioner has charged £4 10s. and £6 16s. 6d. as paid J. M. Wilmot, Esquire, by order of the House of Assembly, but no receipts are produced to support the same. Two or three contracts for 1836 are still unfinished, amounting to £37 4s. 6d., and he has also entered into contracts with sundry persons in 1837 to amount of £70 1s. 9d., which are not yet completed. The Commissioner states a balance to be due the Province of £96 1s. 5d., which with the above sums corresponds with the balance, £214 14s. 2d., to be accounted for. The account is attested to.	

No. 2. Grant 1836.	JOHN GILLIES, Commissioner.
Warrant No. 275. £30.	Dipper Harbour to Main Road.
The Commissioner credits received from Treasury,	£30 0 0
He charges as paid under sundry vouchers. Less error in	
No. 2, 4d.	£28 9 9
Commission,	1 10 0—29 19 9
	£0 0 3
Add this sum paid George Mullin, balance of contract, for which	
no vouchers are produced,	2 0 0
To be accounted for,	£2 0 3
The account is attested to, and the work appears to have been taken very low—935 rods stumped, at 5d., and 241 rods cut out, at 2d.	

No. 3. Grants 1837.	EPHRAIM SENTELL and JAS. COTHER, Commissioners.
Warrant No. 383. £40.	Quaco Road to County Line.
	20. Across head of 2d Lake Lomond to County Line.
— The Commissioners have received from the Treasury,	
£65.	Carried forward, £65 0 0



# APPENDIX.

	<i>Brought forward,</i>	£65	0	0
Vouchers are produced for expenditure of	£61 15	0		
Commission,	3 5	0—65	0	0
The accounts are attested to, and are satisfactory.				

## CHARLOTTE.

No. 1. Grants 1837.		JOSEPHUS MOORE, Commissioner.	
Warrant No. 312.	No. 1.	£10.	To remove Rocks in Road from Shaw's Hill.
	" 2.	22.	Bridge at foot of Moore's Hill.
	" 3.	20.	From M'Laughlin's Hill to Tower Hill.
	" 4.	15.	" " " to Stewart's Mill.
	—		He credits received from the Treasury, £67 0 0
	£67.		He charges as paid under 10 re-
			ceipts, £63 13 0
			Commission, 3 7 0—67 0 0
The work was let at auction. The account is correctly stated, and is satisfactory. An affidavit is annexed.			

No. 2. Grants 1837.	GEORGE M'KAY, Commissioner.		
Warrant No. 311.	£30	0	0. Scotch Kirk to Letete.
	20	0	0. Saint John Road to Mills at New River.
	20	0	0. Rait's Mills to M'Kay's.
	8	13	4. To cut down Wetmore's Hill.
	15	0	0. John Dewar's to first Falls, Magaguadavic.
	15	0	0. Lower to upper Falls.
	100	0	0. Trout Brook Bridge towards Rolling Dam.
	15	0	0. From Rolling Dam to Diffin's.
	10	13	4. From Bonny Brook through Pleasant Ridge.
	10	0	0. To Clarence Hill.
	20	0	0. Wilson's to M'Kee's.
	15	0	0. Connick's to Cathcart's.
	15	0	0. Wilson's to Rolling Dam.
	15	0	0. School House to Kyle's.
	8	0	0. Exploration from Stillwater to Roix's.
	The Commissioner credits received from		
	£317	6	8. Treasury,
He charges under 30 receipts,	£295 12 5½		£317 6 8
His commission on the above,	14 15 7½		
His time and expense in exploring the Road from			
Stillwater Bridge to John Roix's, 3¼ miles.	6 18 7½—		317 6 8
There is an error in vouchers Nos. 15 and 16; the first being 3s. too much, and the last			
2s. too little, making a difference of 1s. against the Commissioner,			
£0 1 0			
There are also several other small miscalculations, say overcharge,			
£0 4 7			
undercharge, 0 4 3—			
0 0 4			
Against the Commissioner,			
£0 1 4			

The voucher No. 19, for payment of £9 10s. 1½d. is not signed by James Simpson. The last charge for exploring 3¼ miles appears to be very high. The Commissioner has been written to on these points. The account is attested to, and is in other respects very satisfactory.

Simpson's receipt has been received, with a bill of particulars of expenses of exploring, which, from the nature of the ground, the Commissioner states required great labour.

No. 3. Grants 1837.	J. H. WHITLOCK, Commissioner.			
Warrant No. 327.	£50.	From Chamcook near Bartlett's.		
	10.	Saint Andrews to Joe's Point.		
—		The Commissioner credits received from Treasury,		
	£60.	Carried forward,	£60	0 0

# APPENDIX.

	<i>Brought forward,</i>	£60	0	0
He charges under four receipts,	£56	12	7	
Commission,	3	0	0—	59 12 7
Balance unexpended,				£0 7 5

The account is attested to, and is very satisfactory.

No. 4. Grants 1837. ROBERT WATSON, Commissioner.

Warrant No. 319. £25. Maxwell's to Moore's Mill.				
25. Basswood Ridge to Stewart's.				
10. Cheputneticook Ridge to Campbell's.				
10. Pomeroy's to Little Ridge.				
10. Kirk's to Pomeroy.				
10. Hitching's Mill to Little Ridge.				
10. Kirk to Main Road, Saint Stephen's.				
— The Commissioner credits received from Treasury,				
£100.				£100 0 0

He charges as paid under fifteen receipts,	£95	0	0	
Commission,	5	0	0—	100 0 0

The account is attested to, and is satisfactory.

## NORTHUMBERLAND.

No. 1. Grants 1837. JAMES LOWRIE, Commissioner.

Warrant No. 399. No. 1. £10. Between John Rust's and J. Carey's.				
" 2. 30. " John Rust's and J. Porter's back Lot.				
" 3. 30. " Chaplain Island Road and N. W. Branch.				

— He credits received from the Treasury,				
£70.	£70	0	0	
A balance due last year,	1	11	0	
				£71 11 0
He charges as paid to sundry persons,	£67	5	2	
Commission on £70,	3	10	0—	70 15 2

Due the Province,				£0 15 10
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The Commissioner has made an error in this account. The first charge is 22½ rods, at 10d., charged 19s. 7d. instead of 18s. 9d.; difference 0 0 10  
Under the Grant No. 2, £9 8s. has been charged as paid to a Deputy Surveyor and seven other persons for exploring and running lines, but as the distance is not given no opinion can be formed of the propriety of the charge.

Thomas Egan's receipt for making 60 rods, at 1s. 4d., £4, is not produced in consequence of the work not being completed.				4 0 0
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To be accounted for,				£4 16 8
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A satisfactory affidavit is annexed to the account.

No. 2. Grant 1833. JAMES LEDDEN and JOHN FLYNN, Commissioners.

£40. Newcastle to Chaplain's Island.

John Flynn, one of the Commissioners, renders an account in March 1835.

He credits received from the Treasury,				£40 0 0
Amount paid under four receipts,	£13	6	2	
Amount to be paid John Shaddock under an incomplete contract,	22	1	3	
Commission on £35 11s. 2d.,	1	15	6—	37 2 11

Balance due the Province,				£2 17 1
Add amount to be paid Shaddock,				22 1 3

To be accounted for,				£24 18 4
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The account is clearly stated, and is attested to.

No. 3.

# APPENDIX.

No. 3. Grant 1836.	ALEXANDER GOODFELLOW, Commissioner.
Warrant No. 163.	£10. Oxford's Cove to M'Kay's Cove.
Grants 1837.	90. John Murcie's to James Ledden's Farm.
Warrant No. 393.	10. Stewart's to North West Mills.
	10. Hutchinson's Ferry to Main Road.
	— The Commissioner credits received from the Treasury,
	£120. <span style="float:right">£120 0 0</span>
He produces vouchers for expenditure of this sum, including 16 days personal service in exploring, running lines, &c. at 12s. 6d., and 16 days services of Deputy Surveyor Davidson, at 25s. per day,	
	<span style="float:right">£121 12 1</span>
Commission 5 per cent.	<span style="float:right">6 0 0—127 12 1</span>

Over expended, £7 12 1

The account is attested to, and is very clearly stated, and satisfactory, with the exception of the charge of 25s. per day, to the Deputy Surveyor. In the Surveyor General's Department the established rate of pay to Deputy Surveyors is 20s., and there is no reason given why that rate is exceeded in this instance.

No. 4. Grants 1836.	ALEXANDER GOODFELLOW, Commissioner.
Warrant No. 163.	£10. Corry's to Green Brook.
	10. Collector Wright's Farm up Bartibog.
Grants 1837.	10. Between Lots Nos. 54 and 55.
Warrant No. 393.	20. Moody's Point to head of the Tide.
	10. Corry's to Green Brook.
	10. Collector Wright's Farm up Bartibog.
	— The Commissioner credits received from Treasury,
	£70. <span style="float:right">£70 0 0</span>
He charges balance due him last year,	
	<span style="float:right">£0 8 7</span>
Vouchers are produced for expenditure of	<span style="float:right">66 18 4</span>
Commission 5 per cent.	<span style="float:right">3 10 0—70 16 11</span>

Over expended, £0 16 11

The account is attested to, and is very clearly stated, and satisfactory, with the exception of one day to Deputy Surveyor Davidson, at 25s., to which the observations in preceding account will apply.

No. 5. Grant 1833.	ALEXANDER GOODFELLOW, Commissioner.
	£30. Bartibog to Oak Point.
" 1835.	10. Exploring ditto ditto.
" 1837.	275. Bartibog to Tabusintac.
Warrant No. 393.	20. M'Leod's Mill Dam.
	— The Commissioner credits received from the
	£335. Treasury, <span style="float:right">£335 0 0</span>
Balance in his hands last year,	<span style="float:right">27 19 2</span>
	<span style="float:right">£362 19 2</span>
He produces vouchers for expenditure of this sum, £301 5 6	
Commission on £335,	<span style="float:right">16 15 0—318 0 6</span>
Balance on hand,	<span style="float:right">£44 18 8</span>

The Commissioner has entered into three contracts not yet completed, to amount of £48 17s. 6d.

The account is attested to, and is satisfactory, except the charge 7 days, at 25s., to Deputy Davidson, to which the remarks in two preceding accounts will apply.

No. 6. Grants 1837.	FRANCIS M'KNIGHT, Commissioner.
Warrant No. 397.	£20. Black River to Napan River.
	20. M'Ginnis' Creek to Point Aux Car.
	10. Hannah's to M'Donald's.
	—
	£50. <i>Carried forward.</i>

# APPENDIX.

£50. *Brought forward.*

10. Richibucto Road to M'Ginnis' Creek.

— The Commissioner credits received from Treasury,

£60. £60 0 0

He produces vouchers for expenditure of	£55	3	0	
Commission 5 per cent.,	3	0	0	—58 3 0

Due the Province,				£1 17 0
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The account is attested to, and is satisfactory.

No.7 . Grant 1837.

ALEXANDER M'LAGGAN, Commissioner.

Warrant No. 403. £15. Doak and M'Laggan's Mills to upper Settlement on Bartholomew's.

He credits received from the Treasury, £15 0 0

Vouchers are produced for the expenditure of	£14	5	0	
Commission,	0	15	0	—15 0 0

The account is attested to, and is satisfactory.

No. 8. Grants 1837.

ALEXANDER M'LAGGAN, Commissioner.

Warrant No. 403. £20. Doak and M'Laggan's Mills to Dungarvon.

He credits received from Treasury, £20 0 0

Paid Fanton Brophy, per contract,	£19	0	0	
Commission,	1	0	0	—20 0 0

The account is attested to, and is satisfactory.

No. 9. Grant 1837.

ALEXANDER M'LAGGAN, Commissioner.

Warrant No. 470. £100. To remove obstructions in the Miramichi River between Indian Town and Bartholomew's Island.

He credits received from the Treasury, £100 0 0

He produces a part of the voucher for expenditure of	£95	0	0	
Commission,	5	0	0	—100 0 0

The Commissioner however must be surcharged with the following items, for which no vouchers are produced, viz. :—James Wall, 1 day, 5s.; T. M'Namara, hay, 3s.; 50lb powder, @ 1s. 1d., £2 14s. 2d.; canoe destroyed, £3; 14 weeks board for the men, £14; shoeing 3 pair oxen, @ 15s., £2 5s.—Total £22 7s. 2d.

The account is attested to.

No. 10. Grants 1837.

THOMAS VONDY, Commissioner.

Warrant No. 398. £10. Second to third tier of Lots in rear of Saint Paul's Church.

10. Rear of Peters' Landing to Napan.

10. To the rear Lots next below the Parsonage.

— He credits received from Treasury, £30 0 0

£30. Vouchers are produced for the expenditure of	£28	10	2	
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Commission,	1	10	0	—30 0 2
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The account is attested to, and is satisfactory.

## GLOUCESTER.

No. 1. Grant 1837.

FRANCIS FERGUSON and H. W. BALDWIN, Commissioners.

Warrant No. 321. £10 Road near William Molloy's.

The Commissioners credit received, £10 0 0

Paid William Molloy, per contract, £10 0 0

No commission is charged. The account is clearly stated, but not attested to.

F. P. ROBINSON,  
H. G. CLOPPER.

*Office of Audit, 14th February, 1838.*

**No. 5.**

**SCHEDULE OF LANDS ESCHEATED**

FOR

**NON-PAYMENT OF QUIT RENTS.**

**S**CHEDULE of the several Lots of Land which were escheated for the non-payment of Quit Rents, prepared in obedience to the order of His Excellency the Lieutenant Governor, pursuant to an address of the House of Assembly on the subject, during their late Summer Session.

Lot No. 6, containing 265 acres, granted to William Bradley, in the grant to Duncan M'Leod and others, of Lands in the Parish of Saint Mary's in the County of York.

Lot No. 15, containing 320 acres, granted to John Sinclair, in the grant to Enoch Bartlett and others, of Lands in the Parish of Kingsclear, County of York.

Lot D, containing 107 acres, granted to James Segee,  
No. 16, containing 165 acres, granted to Lewis Fisher,  
No. 17, containing 160 acres, granted to Peter Fisher,  
No. 18, containing 156 acres, granted to David Fisher, and  
No. 19, containing 85 acres, granted to David Fisher,  
in the grant of Lands to William F. Odell, James Hamilton Lamb, and others, in the Parish of Fredericton, County of York.

Lots D and E, containing 465 acres, first division, granted to Musco Wright.  
No. 21, containing 310 acres, first division, granted to Michael Lenentine.  
No. 22, containing 318 acres, first division, granted to Lucinda Miller.  
No. 23, containing 320 acres, first division, granted to David Phillips.  
No. 28, lower half, containing 130 acres, first division, granted to Matthew Phillips.  
No. 28, upper half, first division; No. 29, ditto; No. 30, lower half ditto; containing together 495 acres, granted to Reuben Chase.  
No. 30, upper half, first division; No. 31, ditto; No. 32, lower half ditto; containing together 490 acres, granted to Tortullus Dickenson.  
No. 10, second division, containing 210 acres, granted to David Betts.  
No. 25, second division, containing 226 acres, granted to Alexander Carney.  
No. 42, second division; No. 43, ditto lower half; No. 50, thirty one rods of upper side of lower half; containing 453 acres, granted to Newman Raymond.  
No. 43, second division upper half; No. 44, ditto; containing 302 acres, granted to David M'Shaffrey.

No. 48, second division; No. 49, lower half; containing 310 acres, granted to William Shea.

No. 52, second division; No. 53, ditto; containing 425 acres, granted to John Camber.

Lot G, second division, containing 360 acres, granted to Isaac Carvell.

Lot I, second division, containing 335 acres, granted to Jacob Carvell.

Lot K, second division, containing 330 acres, granted to Anthony Baker.

No. 57, third division, containing 215 acres, granted to Titus Way.

No. 69, third division, containing 205 acres, granted to James Dyer.

All the last mentioned above described Lots contained in the grant to Aaron Brooks and others, of Lands in the Parish of Northampton in the County of York.

CHARLES I. PETERS, *Attorney General.*

*Fredericton, 1st January, 1838.*

No. 6.

## RETURNS

OF

### EXPLORATIONS OF ROADS, &c.

MR. HANSARD'S REPORT UPON THE NEW LINE OF ROAD FROM  
FREDERICTON TO THE GREAT FALLS.

*Woodlands, January 6, 1838.*

SIR—

**A** GREEABLY to the commands of His Excellency the Lieutenant Governor, I beg to submit the following Report, descriptive of the Land upon the new line of Road from Fredericton to the Grand Falls.

From Pickard's Mills to the Cardigan Settlement, a distance of eleven miles and three quarters, the route is completely finished; it passes through granted land, and is partially settled.

From Cardigan to the Nashwaak Lake, a distance of about fourteen miles, the land is good, and of mixed growth, and presents an even surface for the first seven miles, when you enter upon fine open hard wood land, which continues to the Lake. At this spot the Land Company have cleared several hundred acres for the purpose of forming a settlement, and for which it presents great advantages from its vicinity to the Nashwaak River, and from the good quality of the soil.

From the Nashwaak Lake to Gilman's Brook, a distance of about eight miles, the Road turns from N. 35° W. to northwest, for the purpose of avoiding the Nashwaak River and some almost impassable swamps. In this portion of the route the land is good, although occasionally stony; the growth consisting chiefly of hard wood—birch and maple. The Road nearly up to this point has passed through the Company's land.

At Gilman's Brook we are upon land which is at the disposal of the Crown. This spot presents an excellent site for settlement. The Road passes very near the River, and there is fine intervale and upland in the neighborhood.

From the Brothers to Brown's Road the distance is seventeen miles; four miles of this portion of the Road is very rocky, but it cannot be avoided, as I found this stony ridge extended across from the Nashwaak to the . . . It offers no impediment to the Road except a small additional expense in turnpiking.

After passing this tract you again meet with fine settlement land (though somewhat broken), and particularly favorable for grass, until you approach a small branch of the Miramichi, when you enter upon remarkably fine land, which continues as far as Brown's Road. This is one of the most favorable situations for settlement upon the line, from its vicinity to the Miramichi Lakes, which abound with fish, besides the advantage of a good Road connecting it with the River Saint John, at a distance of only ten miles.

From Brown's Road to the Tobique, a distance of about twenty one miles, the land is uniformly excellent. In this distance we have to cross two very troublesome streams, viz. the Chictahauk and the Moncquat, but they present no barrier to a good line of Road. The land becomes generally level from this point until we reach the Tobique.

The Road intersects the Tobique at the Red Rapids upon the site of Mr. Lombard's mills. The River at this point is thirty six rods wide, and will admit of being permanently bridged. Few places offer greater advantages for settlement than this. The  
extensive

## APPENDIX.

extensive improvements now in progress under Mr. Lombard, the quality of the soil, and the high prices and ready market always to be met with on this stream, are temptations not to be overlooked; indeed I considered it so desirable to bring this establishment within the line of Road that I took infinite pains with my explorations in this quarter to effect that purpose.

After crossing the Tobique the land is level for half a mile, when you encounter some very high and precipitous banks, which at present make a very formidable appearance, but when turnpiked and properly managed will be of easy ascent.

After surmounting this difficulty the land again becomes level, and affords a fine line of Road—although to judge from the growth, which consists of spruce and white birch, with a large proportion of cedar, the soil is of rather inferior quality for about six miles. However we have clear evidence of this being a second growth from the charred remains of majestic trees met with in every direction.

After quitting this tract you again enter upon fine hardwood land (consisting of birch, rock maple, ash and elm), which extends to Salmon River, a distance of thirteen miles from the Tobique.

On the approach to Salmon River the land becomes very hilly, but, with a slight deviation from the direct course a very good line has been found. The Road crosses this latter stream at a point known as the boat landing; a fortunate circumstance—this spot being the head of the boat navigation (as the name implies), and admitting of being easily bridged.

From this point little need be said but that the land is uniformly good to Fall River, a distance of seven miles—and the termination of the present explored line.

It may be worthy of remark that not a single swamp of any moment presents itself upon the whole of this extensive line, and that the land keeps gradually improving from Fredericton to its termination. As to Bridges there are required only two of any account; one over the Tobique and the other over the Salmon River, and the latter is only one chain wide.

I am satisfied that great public benefit cannot fail to be derived from the opening of this extensive and fine country. That the land will be eagerly sought after for settlement there can be no doubt. Several families have already settled themselves upon the line near the Tobique, and many applications have been made to me for information respecting the terms upon which land would be granted.

That the settlement of this Province has hitherto proceeded with a slowness unprecedented, considering its capabilities, must be admitted by all, and is much to be lamented. The causes I think are obvious: the rigour of our climate is such that it almost amounts to an interdict to persons settling upon wilderness land if left entirely to their own unassisted efforts to procure a living. Emigrants have arrived in abundance, but have been of course deterred from trying the perilous experiment, and have left the country as soon as they could procure the means; and the same thing will assuredly occur again and again unless the Government be induced to give the needful encouragement and help to those who commence settlement in the wilderness. All the most favorable situations are already occupied. What has made these situations more desirable than others? Their vicinity to Roads and Rivers. Rivers we cannot make, but Roads we can, and it does not require much wisdom to discover that if this Province is ever to emerge from a state of wilderness, the first steps to promote that end is the formation of Roads.

The contract for opening the whole of this line of Road will be completed early in the ensuing season. The requisite Bridges should then I think be erected without delay, and encouragement given to the formation of settlements at convenient distances on the line.

The turnpiking I would recommend to be reserved as the means of employment for the settlers; a slight preference given to them would act as a *bounty*, and I should think it advisable to build a few houses for their accommodation, which could be paid for by their labour. Make but the way easy for the first settlers, and the thing is done. It is said that you cannot persuade men to settle where you wish, and that they will exercise their own judgment. I admit this, but make it to their interest to settle in a particular spot, and they will not refuse, and it would be well worth the while to do this in such a case as the present. I will only add that every pains has been taken, consistent with the economy prescribed

## APPENDIX.

prescribed to me, in my explorations of this line, and that no exertion has been wanting to obtain a thorough knowledge of the country through which it passes, that I might take advantage of every circumstance that could benefit the Road; the whole of which has been most carefully explored and laid off by myself, with the exception of the last twelve miles, which from a fall which completely lamed me, I was compelled to entrust to Messrs. Penniston, Ingraham and Craven, persons possessing the greatest local knowledge of that part of the country.

I have introduced in the sketch which accompanies this Report extracts from the different surveys upon this line and its vicinity, as affording much useful information, and to which I must beg leave to refer you.

I have the honor to be, Sir,  
Your obedient humble servant,

H. J. HANSARD.

To the Honorable W. F. Odell, Provincial Secretary.

### *Extract from Deputy Estey's Report of his second exploration from Fredericton to the Grand Falls in the year 1832.*

"This line is rendered more highly eligible for settlement by the navigability of the Nashwaak, Begaguimick, Tobique and Salmon Rivers, which intersect the line of Road, thereby yielding a good water communication in canoes or flat bottomed boats with the Seat of Government. This offers greater facilities to individuals who may be hereafter placed in any part of this line of settlement, and who may by this means at almost any time in the summer season convey their supplies, or in winter time their produce, with ease to a market place, along these streams and the River Saint John. Indeed we may reasonably believe that nothing is wanting but the means to force a Road through this valuable tract of country to ensure the settlement of almost every mile on the Road in a very few years."

"This is to certify that from personal observation I feel confident in stating that a great part of the land from Brown's Road downwards for at least twenty miles, through which the contemplated Road from Fredericton to the Grand Falls, commonly called the Royal Road, passes, is of as good quality and as fit for settlement as any I have seen in the Province, and would admit of very extensive settlements. I have no doubt that if the Road is completed, a great part of the land will be immediately taken up for agricultural purposes if any encouragement is held out to parties wishing to settle.

"JAS. BALLOCH.

"Fredericton, 6th January, 1838."

### PROBABLE COST OF BRIDGING.

Grand John's Brook,.....	£15	0	0
Chicktahauk,.....	50	0	0
Monquat,.....	50	0	0
Begaguimick,.....	10	0	0
Miramichi,.....	20	0	0
Trout Brook,.....	100	0	0
Tobique—thirty six rods wide.....	0	0	0
Salmon River,.....	100	0	0

Total cost of Bridging,.....£345 0 0

An additional £100 may be required for Bridging small streams not enumerated.

### DISTANCE IN MILES.

From Pickard's to Cardigan, .....	11½	miles.
" Cardigan to Nashwaak Lake,.....	15	"
" Nashwaak Lake to Gilman's Brook,.....	8	"
" Gilman's Brook to Brown's Road,.....	17	"
" Brown's Road to the Tobique,.....	21	"
" the Tobique to Salmon River,.....	14	"
" Salmon River to Fall River,.....	7	"

Total distance,.....93½ miles.



## APPENDIX.

### REPORT OF THE SUPERVISOR, B. RAINSFORD, OF THE GREAT ROAD FROM FREDERICTON TO SAINT ANDREWS.

*To His Excellency Major General Sir John Harvey, K. C. H. and C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

The Supervisor of the Great Road of Communication from Fredericton to Saint Andrews having suspended all operations for the present year, submits the following Report.

The old road having been discontinued and a new route adapted and established by Legislative enactment, the sum of £300 was granted in the Session of 1835 to be expended on same. With this sum I proceeded to throw up, causeway or bridge such parts of the same between Fredericton and the extremity of the Hanwell settlement as appeared miry and soft, and also to improve the rest of the road, so as to make it as convenient as possible with such limited means. About three miles of this part of the road, comprising all such miry and bad places, is thus completed, and the intermediate distances where the bottom is hard is so far cleared as to admit the passing of teams at all times of the year, the whole distance being about eleven miles.

In the Session of 1836 the sum of £800 was granted. With this the Supervisor, assisted by George Hayward, Esquire, proceeded to explore, survey and mark out that part of the line which extends between the Hanwell settlement and the River Magaguadavic, a distance of twenty five miles; the whole of this distance was then opened twelve feet wide by taking out the trees. A number of bogs, sloughs and streams were bridged and made passable, making the whole distance from Fredericton to the River Magaguadavic passable for horses, with the exception of one bog near the River Magaguadavic.

In the Session of 1837 the further sum of £250 was granted, chiefly for further exploration. Out of this the sum of one hundred pounds was paid for the bridge previously contracted for, and built over the River Magaguadavic near Brockway's. With the remainder (assisted by George Hayward and James Brown, Esquires,) I proceeded to explore, survey and mark out that part of the line extending from the said River to Waweig in the Parish of Saint Andrews—a report and plan of which were soon after laid before Your Excellency. They afterwards carefully examined all that part of the line extending from Fredericton to the River Magaguadavic, the whole distance being forty three miles, with a view to avoid such hills and other exceptionable places as might cause alterations, and the consequent loss of money and labour at some future period. All those places are particularly described in the memorandum accompanying this report, wherein it will be seen that there are thirteen proposed alterations in the whole distance, four only of which are on that part of the line explored, marked off and opened by the Supervisor; the other nine being on the Hanwell Road between Fredericton and the Lake Erina. The whole of these alterations, exclusive of the one last proposed, comprise a distance of about three miles, which, calculating the expense of the parts to be abandoned at £8 per mile, the average cost of clearing, and the loss in the present state of the road, only amounts to the trifling sum of twenty four pounds.

I would respectfully observe that the whole line from Fredericton to Connick's at Waweig has been, after careful and repeated explorations, marked out with a view to the permanent establishment of every part of the same, and with an earnest desire to prevent if possible the usual unfortunate and unnecessary waste of the public money by carrying it through extensive tracts of land fit for cultivation, in order to accommodate and encourage new settlers; and on it there is a large proportion of excellent land. It is adapted as far as possible to the purposes of a great road of communication, all steep elevations being carefully avoided; and when finished it is confidently hoped that there will be no hill or other obstruction sufficient to prevent a full loaded team from travelling with comparative ease and perfect safety.

I would further respectfully report that in order to finish and make passable certain parts of the line, I have been compelled to exceed to a small amount the funds placed at my disposal.

I would also respectfully report that some of the inhabitants intending to become settlers in "The Harvey Settlement," have under the direction of Mr. Timothy Killen, of the Hanwell, completed about one hundred and fifty rods on some of the very  
worst

## APPENDIX.

worst places on the said road. This work is well done, but at what cost I am unable to say, not having made any inquiries concerning the same.

Respectfully submitted.

L. B. RAINSFORD, *Supervisor.*

*Fredericton, December 8, 1837.*

*Proposed alterations on the line of Road from Fredericton to Saint Andrews, agreed upon by Messrs. Hayward, Brown and Rainsford, at their exploration and examination of the said Road in November 1837.*

1st. To commence at the nine mile tree in the Harvey settlement, thence to run to the eight mile tree to avoid a long hill, leaving the same on the north west side of the line.

2d. To commence at a point where a short distance of the cleared line has been abandoned, thence to continue round a hill to strike the line again near a gravel bank, leaving the hill on the north west side of the line.

3d. To commence near a lumber road on the north west side of the line, thence to pass along the flat ground at the bottom of the elevated land on which the present line runs, following the base of the said elevation until it joins the line again at a hemlock windfall, leaving the said elevation on the south east side of the line.

4th. To commence at a tree called the flag staff, thence through the woods to Chasset field, passing near the barn, thence extending on the low ground to join the road again, thereby avoiding a long hill and leaving it on the north west side of the line.

5th. To avoid several narrow sharp ridges near the barren.

6th. To commence at the end of the long bridge near the school house in the Hanwell Settlement, thence to pass alongside of the hill through the woods to a field, thence following a line of stakes to the woods again, thence through the woods on a spotted line to join the road again near the corners of another field, leaving several dangerous and difficult hills on the south east side of the line. This is a very important and necessary alteration.

7th. To commence near the bottom of a hill near Powers' in the Hanwell settlement, thence to follow by the way of a lumber road, and to join the main road, leaving the hill on the north west side of the line.

8th. To commence at the bottom of a hill to lead round the same, joining the road again, and leaving the hill on the north east side of the line.

9th. To commence at the bottom of a hill to lead round the same, and join the road again, and leaving the hill on the south east side of the line.

10th. To avoid a hill, leaving the same on the south east side of the line.

11th. To commence at a little bridge, and lead round a hill by a spotted line to join the road again near another bridge, leaving the hill on the south east side of the line.

12th. To commence near the end of the finished part of the road near the bottom of a steep hill, thence by a spotted line to join the road again, leaving the hill on the north west side of the line.

All the objectionable hills are marked to be cut down, and the materials to be taken therefrom to be used for the improvement of the road as the several places may require.

13. This alteration, should an alteration in this part of the road be finally deemed advisable, should commence at a bridge near the clearing in Fredericton, thence pass through the clearing passing to the eastward of the barn on Mr. Baillie's farm, crossing the present road near a small brook, and crossing it again opposite the residence of Mr. Gall, joining the main road again near the residence of Mr. Taylor. This line is much better than the part of the road now travelled. It is straight, and the distance is thereby considerably lessened; the ascent is gradual and moderate, and two considerable elevations over which the present road runs are avoided. A good deal of labour has however been expended on the present line, the adjoining lands are improved, and a part of the road fenced out with valuable fences. Should an alteration in this part of the line be deemed expedient, the route here pointed out is decidedly more eligible than any other, and we beg to submit this point to the decision of the Legislature.

L. B. RAINSFORD,  
JAMES BROWN, JUN.  
GEO. HAYWARD.

REPORT

*Fredericton, December 8, 1838.*

## APPENDIX.

### REPORT OF THE EXPLORATION OF A LINE OF ROAD IN THE PARISH OF SAINT MARY'S IN THE COUNTY OF YORK.

*To His Excellency Major General Sir John Harvey, K. C. H. and C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

The Commissioners appointed to make further exploration of a line of Road from the River Nashwaak to the lower line of the County of York, hereby report that they have attended to that duty, and having carefully viewed and examined the district through which the said road is intended to pass, have explored and marked out the following line as best adapted for the accommodation of the public, and also for the convenience of the several settlers and proprietors of the land, that is to say :—

Beginning at the “four oaks” near the residence of the late Henry Smith, Esquire, in the Parish of Saint Mary's in the County aforesaid ; thence running by the magnet S. 9° E. five chains and sixty five links ; thence S. 20° 15' E. twenty chains and twenty links to where the line leaves the old road ; thence S. 28° 15' E. eleven chains and thirty eight links ; thence S. 15° 45' E. one hundred and twenty one chains and thirty eight links to the bank of the River Saint John near a pine tree ; thence S. 45° E. sixteen chains and twenty links ; thence S. 32° E. fifteen chains and fifty links ; thence S. 16° 15' E. eight chains ; thence S. 22° E. nine chains and sixty five links ; thence S. 33° 15' E. ten chains and thirty five links to the lower side of the bridge over Sterling's creek ; thence S. 55° 30' E. sixteen chains to the old road at Fraser's barn, making the whole line from the “four oaks” to the road at Fraser's barn two and a half miles, four chains, and forty three links—four rods wide.

JAMES BROWN, JUN. }  
GEORGE HAYWARD, } *Commissioners.*  
ADAM B. SHARP, }

*Fredericton, 3d November, 1837.*

### MR. HANSARD'S REPORT UPON THE PROPOSED NEW LINE OF ROAD FROM FREDERICTON TO THE BEND OF PETICODIAC.

*Woodlands, May 24, 1837.*

SIRS—

As Supervisor of the proposed new Road from Fredericton to the Bend of the Peticodiac, I proceeded to examine the line for the purpose of making such alterations as might be found expedient, and for ascertaining that it passed through such parts of the country as might be most advantageously opened, and submit the following Report:—

Having convinced myself of the propriety of making the new line run into the Post road, thirteen miles on this side of the Bend, I started from that point, and proceeded towards North River, in which direction I found three miles of road already partially made, and the land through which it passes very good for settlement.

From North River to the east branch of New Canaan, a distance of eleven miles, the land is level, and still continues good for settlement until within two miles of the latter stream ; from whence to the New Canaan settlement the growth indicates an inferior quality.

After crossing the Ferry you enter upon a road which is already made for five miles and a half, nearly in the direct course until you reach Humphrey's mill stream. The whole of this distance is well settled. I had hitherto kept the Surveyor's line, but here I became at fault, and upon inquiry found that Mr. Blair had struck a point two miles to my right. It therefore became necessary to connect this point with his line, which I accomplished, after having advanced a distance of fourteen miles, without meeting with any thing to impede the road.

I continued on the Surveyor's line until I reached Coal Creek. Here again I met with an interruption—fifty rods of the line being three feet under water from the *freshet*. I therefore turned up the stream for one mile and a half, crossed at Brown's mill, and pursued my way to Salmon River, where again I found the line interrupted by the *freshet*. It therefore became necessary to turn my attention to the acquisition of local information, and the result convinced me that the best route would be one connecting a line of mills which lie nearly in the course—Brown's, upon Coal Creek—M'Donald's, Salmon

## APPENDIX.

Salmon River—Major Yeamans', Newcastle—and the mills upon Little River. This I effected with the kind assistance of Major Yeamans and Mr. M'Donald.

From New Canaan to Brown's mills is a distance of nineteen miles. The first 7 or 8 miles runs nearly through burned land, and is almost free from vegetation. I was assured that some of this land was very good when cleared, which is done with very little trouble.

After passing this distance you come upon some good land for settlement, timbered with a large proportion of red oak, with the occasional intervention of plains and meadows, which possessing a hard bottom will be easily laid dry, and very few will require brush for that purpose. Upon the whole, however, the land through this part is of inferior quality.

From Coal Creek to Salmon River, a distance of six miles, the land continues nearly of the same description as the last. Between these points the line deviates from the direct course for the purpose of avoiding long creek, a troublesome inlet from Salmon River, and crosses Salmon River at a spot which is well settled, known as iron bound cove. A ferry will be necessary here as a bridge would be too costly.

After crossing Salmon River we enter upon a good road made by Mr. M'Donald for the purpose of connecting his mills with the River. The land in this neighborhood is very good.

From Mr. M'Donald's to Major Yeamans', six miles and a half, the land lies favorably for the road, and is of better quality for settlement, and there are no swamps in this part of the route. The line enters the hardwood ridge road, a quarter of a mile from Newcastle, upon which it continues until it strikes that stream at Yeamans' mills, fifty two miles from North River. As I was not prepared either with men or provisions for a lengthened exploration, I considered that enough had been done, and that I might safely allow the contract to proceed up to this point.

The great inconvenience of a ferry upon a line of road induced me to turn my attention to the advisability of crossing Salmon River at the lower mills. I found the land but little better for settlement, and that it increased the distance more than five miles. When it is considered that the expense of making of this five miles would go far to build a bridge where it now crosses (independent of the perpetual tax entailed upon the public by having to travel this additional distance), the question is easily decided.

I must direct your attention to a few circumstances which render this line particularly favorable. The number of mills and settlements it connects will render it available for travelling the moment it is opened. Fortunately the greatest unsettled distance is from Fredericton to Little River—22 miles; this from its vicinity to the Seat of Government will be soon filled up. From Little River to Coal Creek, twenty two miles, we connect four mills at equal distances from each other; at none of which are less than three or four families, whose teams would easily keep open the roads in winter. The next greatest distance unsettled is from Coal Creek to New Canaan—nineteen miles. Here again about midway we have a fine strip of land capable of supporting at least ten families. In short it wants but this road to create a constant intercourse between Newcastle, Salmon River and New Canaan Settlements.

For further information I beg to refer you to the sketch which accompanies this report.

I have the honor to be, Sir, your obedient humble servant,

H. J. HANSARD.

To the Commissioners of the proposed new Road to the  
Head of the Petcodias.

### PROBABLE COST OF BRIDGING.

North River,.....	£30	0	0
East branch of New Canaan,.....	80	0	0
West branch of New Canaan,.....	50	0	0
New Canaan,.....	110	0	0
Humphrey's Mill Stream,.....	20	0	0
Coal Creek,.....	80	0	0
Salmon River.....a Ferry—will admit of a Bridge.			
Newcastle,.....	120	0	0
Little River,.....	110	0	0
Burpe's Mill Stream,.....	30	0	0
Total cost of Bridging,.....	£630	0	0

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DISTANCES.

## APPENDIX.

### DISTANCES.

Peticodiac to North River,.....	16 miles.*
North River to New Canaan Ferry,.....	13 “
Ferry to Humphrey's Mill Stream,.....	5½ “
Humphrey's Mill Stream to Coal Creek,.....	19½ “
Coal Creek to Salmon River,.....	6½ “
Salmon River to Newcastle,.....	6½ “
Newcastle to Little River,.....	6½ “
Little River to Burpe's Mill,.....	10 “
Burpe's Mill Stream to Fredericton,.....	12 “
Total distance,.....	95½ miles.

\* Thirteen miles of this portion of the distance is by the Post Road, and already made.

### REPORT OF AN EXPLORATION AND SURVEY OF A LINE OF ROAD FROM WOODSTOCK TO THE HEAD OF OAK BAY.

*To His Excellency Major General Sir John Harvey, K. C. H. & C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

Agreeably to my appointment of 26th April last “to complete the exploration and marking out of a line of Road from Woodstock to the head of Oak Bay in the County of Charlotte,” I have undertaken and endeavored to bring that service as near to a conclusion as circumstances would permit, and beg leave to report:—

That as the result of the general exploration already made by Mr. Allan in the early part of the year 1836, it was that Gentleman's suggestion, that (passing from the head of Oak Bay) a suitable approach to Eel River might be made between two hills, near the mouth of that Stream, to where there existed a good site for a Bridge. As the necessary consequence of crossing at the mouth of this River the road must pass along the western bank of the Saint John in its continuation to Woodstock, which being the only portion of the route not included in Mr. Allan's general report, it was necessary first to acquaint myself with it for my government in the subsequent part of the survey.

With this view I proceeded to Woodstock by way of Saint John and Fredericton, and having reached my destination, went along the present bye road on the west bank of the Saint John, attentively observing the features of the ground, until I reached Eel River—the distance being about twelve miles, say from the junction of the Houlton to the main Post road. About three miles of this distance next to Woodstock is along the Post road, and which portion with regard to general direction and level is as favorable as could be desired. After crossing Bull creek, however, there are but few and detached parts of the line of the present bye road which could be at all recommended for adoption in laying out a great road of communication, though by submitting to some material cuttings and embankments, as well as to a very sinuous course, in order to obtain an admissibly level line, that object might be accomplished if absolutely necessary that it should be carried in this direction, yet it evidently required further and particular examination of the neighboring country for a more available route, before such an expensive alternative could be recommended on the ground either of present economy to the Province or the permanent convenience and advantage of the public.

In connection with this portion of the route it was however desirable to ascertain how far its objectionable character was counterbalanced by the advantages which might be presented at the mouth of Eel River for the erection of a Bridge, and the formation of approaches; and in both these essential particulars I confess that I was disappointed. I did not spare the necessary time to make a plan and section of the site, but I fear that the banks at one point are both so high, at another so very unequal in height, and the chasm they form so wide, that a good Bridge, however practicable at either place, must be a work of heavy expense; nor could it be contrived on a cheap plan except by adopting very steep or very expensive approaches. The rapidity of the current here would also be a consideration materially affecting the necessary cost of the Bridge, as only the most substantially constructed could be relied upon to resist the action of the freshets and of the ice; unless indeed formed with one arch of such extent as to avoid the reach

## APPENDIX.

reach of the central current altogether; which expedient might not however have presented economy to recommend it.

Of the pass between the two conspicuous hills on the south side of the River, and the descent thence to that part of the bank of the latter just described, I deferred the examination until I had seen what in all probability would prove to be the only part of the River favorable for crossing for about eight or nine miles along its course from its mouth; through the whole of that extent the banks being very high and precipitous, and not admitting of being bridged or approached at any reasonable expense, I was led by a bye road called the "Portage Road" to the situation desired, being about four to five miles in a direct line from the River Saint John. I here found the banks low and firm, the stream shallow and moderately quiet, the bottom hard, the width about six rods, and the rise of freshets not exceeding four or five feet. The superiority of this as a crossing place, therefore, admitting of no doubt, the preference of the former could depend only on a material balance of advantages, arising either from local circumstances or the features of the line of direct approach from Oak Bay, varying as they probably might from those of a line carried four or five miles more to the westward.

In order to acquaint myself therefore with the face of the country generally from Eel River to Oak Bay, I returned to Woodstock, where I engaged a party of men to carry the necessary provisions, and proceeding again to the mouth of Eel River commenced my route through the woods as represented by the line dotted on the accompanying plan.

In ascending to the pass between the two hills I found the rise, as indeed it appears to the eye at a distance to be, far too steep and almost a continuous incline for about a mile in extent. I was informed that a more favorable opening from the valley of the Saint John existed a few miles lower down, but as that would carry me too far apparently out of the direct line, and also over a further portion of the broken ground almost unavoidable on the bank of the Saint John, I did not feel myself justified in making an exploration there at present. From the southern hill which I ascended, a commanding view is afforded of the country in several directions, especially to the westward and northwest. Here I took the magnetic bearing of the most distinguishable of the eastern Palfrey mountains, which lies from hence about N. 7° W., and after making several other observations descended and commenced nearly that course from the pass or depression between the two hills.

The descent is gradual and but a short distance, when the ground becomes undulating and uneven, and so continued until I reached the Palfrey mountains, yet is of that character that all the material knolls and inequalities might be avoided and a tolerably good line of road laid out in this direction, the descent to the valley of the Saint John excepted. The quality of the land is generally very good.

Near Lake Amelia I struck a Surveyor's magnetic north and south line, which as it passed over the eastern Palfrey mountains I took as my guide, making a profitable use of several opportunities which these commanding heights afford of climbing and observing the features of the country on each side till I came to the second north Digdeguash Lake. Passing round the eastern margin of the Lake to the summit of a small hill, I could better observe the ground to the eastward of the hills which I had just traversed. To the eye it appeared as level as could be desired, but the growth of wood indicated a rocky and barren surface, being the same generally as I noticed from the Palfrey mountains and other situations to extend southerly from the head of the flat valley of the Cranberry brook, passing westward of Mount Prospect to the heads of the Digdeguash, and to spread thence westerly amongst the several tributaries of the Little Digdeguash. In fact judging from those portions which I closely examined, and which are identical in appearance with the rest, the whole of the low grounds as well as the skirts of the heights extending from the heads of the Palfrey brook and of the Digdeguash easterly or north easterly towards the River Saint John, consist of a continuous bed of large granite boulders, with the frequent occurrence of immense masses of that rock, wooded in the interstices chiefly with stunted spruce and a mixture of pine, varied only by small cedar or tamarac, rarely by any hardwood, where water may be collected or find its channels of escape. On the contrary the heights, which however form but a small portion of the area of this part of the country, are covered with a good growth of hardwood, occasionally mixed with spruce. But the soil, otherwise unexceptionable, abounds with fragments of the granite which here so abundantly prevails, unaccompanied with any other kind of stone.

Going

## APPENDIX.

Going S. 14° W. for about a mile to the summit of another small hill, I had an uninterrupted view south easterly down the valley of the Digdeguash, but to the south and south west intervened a very high ridge of hardwood, extending from west to east for nearly four miles immediately to the southward of the second Digdeguash Lake. The whole extent of the ridge being apparently unbroken by any intermediate pass, it presented in conjunction with the Lake and low swampy ground immediately to the northward of it, an obstacle to any choice of route between the eastward of those Lakes and the westward of Mount Henry.

Of the nature of the eastern route having been enabled to form a satisfactory idea, it remained to ascertain the merits of the other; and proceeding S. 22° W. through a small second growth of pine and spruce over very rocky and barren ground, merging in swamp near the margin of the dead and stagnant streams, two of which we crossed on rafts, till we came to the fine quality of land at the base, and which continues to the summit of Mount Henry, we ascended that hill, from whence I amply availed myself of the prospect it affords, commanding as it does by its eminence and solitary position the whole of the surrounding country, partially to the south and south east excepted.

Amongst other observations that which most forcibly presented itself here was the importance of connecting the fine chain of Lake navigation, extending northwesterly, probably not less than 30 miles, and having its commencement about a mile from the western base of the hill, with the contemplated line of road; embracing as that navigation does a decided predominance of good settling land over that of an equal portion of country in the same parallel to the eastward. Along the western skirts of the hill and for several miles to the northward the ground also appeared more continuously favorable for a road than any which presented itself on the opposite side, excepting only the pass through the rugged group of hills which enclose the deep and narrow valley of the eastern branch of the Palfrey brook, where the low ground was evidently rough and difficult.

Whilst therefore the essential consideration of these inducements necessary to encourage settlers to locate themselves along the line, and thus conduce to the economical management and maintenance of a work of this nature passing through the wilderness, can no where be forgotten in such an exploration, circumstances here appeared to give that consideration peremptory weight in influencing the direction of the road.

The situation is not far from central, being about nine miles nearer to the head of Oak Bay than to Woodstock, and as the site of a market would be more convenient for upwards of 700 square miles of surrounding country than any yet existing, in the neighborhood appear to be concentrated those elements of profitable enterprise which cannot fail in due time to attract capital and industry. Several fine and well wooded ridges and swells of land, though not unaccompanied with much that is worthless, surround the situation, and in the low grounds is an abundance of spruce timber, and of the now valuable hemlock. On the copious stream of the Little Digdeguash is a succession of rapids or falls favorable for manufacturing objects; especially so the falls near the embouchure of the River. The place is capable of being connected with the fine harbour of Oak Bay by an almost direct as well as nearly level line of road in the distance of about 29 miles, and admitting of favorable continuations or branches to Saint Andrews and Saint Stephen. It is also nearer by several miles, than any of those places to the Seat of Government, with which it may be brought into communication by only 14 to 15 miles of road in continuation of that from Fredericton to Brockway's; and some such line indeed would be indispensable in order to give settlers in this part of York a communication with their County Town. It may also not be irrelevant to remark that such a line would further recommend itself as offering to the Port of Saint George a nearly direct communication with Woodstock as well as with the probable settlement near the foot of the Chiputneticook Lakes, provided that the contemplated route from the Magaguadavic upper falls by way of the Nerepis to Fredericton should appear less to be preferred, as with regard to distance it undoubtedly is, than that which would be effected by a line connecting the upper falls with the Saint Andrews and Fredericton road, say at or near the lower Trout Brook, as will be more clearly explained by reference to the accompanying plan.

With these several important points of communication which may so easily and with so much general advantage be effected, in addition to its own local recommendations, there



## APPENDIX.

there seem to be sufficient grounds already to entitle the vicinity in question to due regard as the site of a future and not unimportant settlement. But taking into view the tract of country, generally excellent as it appears to the eye at a distance to be, of which the Americans have possession between the main or western branch of the Saint Croix and the Chiputneticook or eastern branch of the same, and that by a road through this tract of not exceeding about 30 miles in extent, so direct a communication would be effected from their military road and the upper parts of Maine to the capital of New Brunswick, it may reasonably be supposed they would not suffer the advantage long to be neglected, even if her own interests should not induce New Brunswick herself to promote though she could not undertake such an object. With a view to this probability, although a longer distance of new road would be required than by the connecting line already pointed out, it might be attended with sufficiently important advantages to adopt the more direct communication with Fredericton represented on the plan; and it may be well to remark that if the place should eventually assume a degree of political importance, there is perhaps no part of the inland frontier so likely to be selected for position and great natural strength as a military station.

Resuming the exploration which I had carried so far as Mount Henry, I proceeded S. 7° W. towards the valley of the Little Digdeguash, and crossing the first Lake on a raft ascended the highest westerly peak of the great ridge to the southward of that stream. Here very remote from any settlement or even a road we found a clearing or chopping of not less than 50 or 60 acres of fine land, recently burned over but unoccupied. From this position, overlooking a great extent of country to the southward, I had an opportunity of observing the generally very low and flat character of the Chiputneticook valley, commencing from the highly favorable opening to the northward at the western extremity of this ridge, and extending for several miles in width as far to the southward and southwest as distinct vision could reach.

Not being able positively to rely upon the imperfect sketch which I had with me of this part of the country as to the exact bearing of the head of Oak Bay from the place where I stood, I selected for exploration the direction of the lowest opening which occurred in the long and broken ridge, limiting my view to the south. The opening proved to be immediately to the westward of Oak hill in the Parish of Saint David, and the first inhabited place we met with after leaving the Howard settlement.

Though considerably to the westward of my intended route, this exploration was of essential use in acquainting me with the kind as well as the general direction and extent of the obstacles to a line of road to be expected on this portion of the ground. These are extensive peat mosses, three of which I crossed on the present occasion and a fourth subsequently. Though despised and avoided whilst no necessity exists to appreciate these mosses, the time may not be far distant when here as in older countries they will be reckoned amongst those natural treasures near which it may be of no mean importance to the interests of local industry to have a good road. The extensive tracts of low wet ground, varied however by occasional spots of good dry mixed growth, which prevail in this valley are unfortunately not such as would be immediately selected by the settler, but in due time the greater portion of them will be eagerly seized, and the strong soil of which they consist be found better to reward the labour of cultivation than higher land which may now perhaps with greater prudence be preferred.

Proceeding to Oak Bay, and there dismissing my present party of men with the view to have time to make the necessary arrangements for a particular survey of the whole of the ground, I commenced that work early in August. Having given such reasons as induced me to adopt the foot of the Chiputneticook Lakes and the table land near the head of the rapid part of Eel River as the two chief governing points of the contemplated route, I will briefly describe the progress of the survey, and the nature of the ground as far as actually ascertained over which I should recommend the line to be carried.

Being convinced from my first general view that by closely skirting to the westward the highland separating the waters of the Chiputneticook and main Digdeguash, I should not only avoid any material obstacle but find a very favorable section, and the general course for that purpose being in nearly a direct line from the head of Oak Bay to the mouth of the Little Digdeguash, I was guided by these considerations in beginning the survey.



## APPENDIX.

The first object which required attention was the road already opened, and much of it in an advanced state of formation leading from the head of the Bay through Saint David. In order to have avoided the necessity of a verbal description, it was my intention to have submitted a section of this road, but time and circumstances did not permit. Its general course is not so very crooked nor so very wide of the required direction, but that in consideration of the labour already expended upon it, and the material advance thus to have been obtained in the whole line, it would have been gratifying could I have recommended it for adoption as part of the same. An accurate section would however show that after attaining by an almost continuous but broken and irregular rise a height of not less than 400 feet, that is to the summit of Saint David Ridge, it makes a rapid descent of probably not less than 800 feet into the low ground beyond, both within the distance of about eight miles, and that distance circuitous, whilst by going nearly straight, as is evident from the accompanying plan, through a deep ravine about 14 miles more to the westward, a favorable passage occurs with a nearly uniform and for most part of the distance scarcely sensible rise to the summit level of that ravine, or to where it is intersected by the Tower hill road; from which road by only one incline of 16 chains, capable of being made very easy, we descend to the general level of the same low ground so disadvantageously approached by the present road. This view of the comparative merits of the two routes is partly derived from a section which I recently made through a neighboring part of the same ridge, and from which I infer its general elevation. The route proposed, of which I made a general survey, it will be observed by the plan, nearly preserves the valley of the Gallops stream, but the last two miles require to be more particularly examined in order to determine whether the road may pass with advantage immediately by the channel of the stream, where it is very crooked and where the banks are somewhat abrupt and irregular, or whether it will be indispensable to diverge to the somewhat broken ground unavoidable to the eastward, which latter course as in the mean time more probable I have represented in the plan.

My remarks have already been carried to the foot of the declivity falling from the Tower hill road, which brings us to the margin of Foster's Lake. Whether the eastern side of this Lake may be preferable to the western will require a more particular survey of both to determine, but the latter appearing more direct and less indented and irregular, I selected it first for examination, and with the exception of about 50 to 100 rods at different points, which on account of contact with the edge of the water will require the protection of an embankment either of wood or stone to the height of four or five feet in some places, I found the ground unexceptionable; and proceeding from hence magnetic north nearly to the Baillie settlement, I observed that by very slight digressions from this course the line would be carried nearly level, and formed with little cost through a burned tract of land for upwards of four miles. Hence following the head of the Denis stream through low cedar ground to the Baillie settlement road, and continuing thence N. 10° W. with an extensive and fine tract of land on each side; by a scarcely sensible rise to the summit level of a low ravine, dividing the waters of the Denis stream and of the west branch, a moderate and nearly uniform fall commences and continues for about half a mile. Unnecessary as it would be to divert a common road from its direct course in order to improve an incline so favorable as that occurring here, I may observe that in this instance such an expenditure would be very practicable. The fall continues but less sensibly to the west branch, a mere rivulet bordered by burned land. At this stream a heath commences of about a mile in width, but being firm and dry this portion of the line when once properly and faithfully formed will prove to be comparatively cheap and durable.

In tracing my first line directly from the Baillie settlement road towards the mouth of the Little Digdeguash, I unexpectedly struck the Canous River where it heads abruptly towards the south through a heath or more properly a peat moss, which stretches a considerable distance north west and south east. From the deadness of its current the River is here both broad and deep, with banks heathy or marshy, and having previously to striking it gone over some broken ground it became now more necessary to vary the route, more favorable ground for which I found about three quarters of a mile to the eastward. But to avoid the tediousness into which I must be led by a detail of numerous lines of exploration, and which could be more suitably represented by a draught on a large scale had time permitted, I will confine myself to the ground which

## APPENDIX.

as the result of those explorations proved to be most suitable for the road. Returning therefore to the heath through which I had carried the line, it continues thence, varying from magnetic north to a few degrees west over nearly level ground, with one exception, easily corrected by a slight curve to the westward, until it approaches the Canous, when it diverges N. 25° E. to the most favorable crossing which occurs for a considerable distance in each direction, and the only place I could find conveniently situated where the bottom and banks were hard. The stream is here about forty feet wide and two feet deep, with flat banks, but the rise of freshets does not appear to exceed a couple of feet. A knoll of about two rods in diameter on the eastern edge of the stream opportunely occurs on the line of the road for cutting down and supplying the necessary material for raising the western and also improving the eastern approach; and every needful facility exists for the construction of a cheap and excellent bridge. After clearing the eastern bank the line proceeds N. 2° E. for about a mile, crossing a dry and favorable portion of the heath on this part of the Canous before mentioned, and just avoiding another small heath still further to the eastward. Its course is then N. 17° W. for about nine miles, with only sufficient variation to avoid somewhat broken ground at about three different places, till it approach within two miles of the mouth of the Little Digdeguash, when continuing nearly level the whole way, the direction of about N. 22° W. for the remainder of the distance, or about 29 miles from the head of Oak Bay, brings us to the first falls or rapids, near the head of which I propose to cross. The opportunity for bridging is very good; the width does not exceed six rods, and the banks, though low, are firm and apparently never overflowed.

Having at first carried the survey to the second falls, which I had more particularly examined with a view to preference on account of apparent directness, I did not at the time of surveying the lower part of the River fix upon the precise spot for a bridge; but this however will be the less difficult situation of the two, the stream being narrow, the banks more favorable, and on the whole the site will command greater local facilities for concentrating the business of a surrounding settlement.

From the first to the second rapids the stream is dead, broad, deep, and very crooked for upwards of a mile by its course. A large portion of its south bank is heathy, but on the north side is a considerable tract of good marsh land, yet both being very low and extensively overflowed by the freshets, no intermediate crossing is available at a moderate expense, if on other accounts it could be recommended.

From the first rapids after going about N. 19° E. for nearly a mile, the course of the line becomes magnetic north, with only about two slight digressions for upwards of four miles almost level, when it gradually curves to the eastward till it approaches the first north Lake. At this point occurs a descent of about 15 to 20 rods, which, though not steep for a common road, and may at no great expense be reduced to a very slight incline, I notice merely as one of the material deviations from the general excellence of the whole section; also, as we approach the Lake I may state that the very rocky portion of the ground commences, and continues with the intermission of small spaces, chiefly of a mossy, hard bottomed, not unfavorable kind of swamp, till we leave the margin of the Grass Lake, being a distance of nearly eight miles by the curvilinear route represented on the plan, nearly all of which I minutely examined and surveyed.

With regard to the sectional features of this part, it is mostly level with the exception of four moderate and short inclines. The first of these is the one just mentioned, after which the road winding nearly along the margin of the Lake, in some places over such rough ground as cannot be avoided where the surface is chiefly a bed of broken rock, we come to the second incline ascending northerly through a very narrow ravine from the Lake to the table land which here divides the waters of the Little Digdeguash and the Palfrey Brook. This table land consists of a considerable area of the kind of swamp just described, and through which passes a small tributary of the Palfrey Brook. Following the general course of this tributary we come to the third incline of about 20 to 30 rods in extent at a rapid and very rocky part of its course. Leaving which about a quarter of a mile before it reaches the main stream, the road passes northerly over another portion of mossy swamp; then crosses another small stream, the dead current and heathy margin of which may perhaps be bridged more advantageously than its rapid but very rocky and broken channel a little higher up; whence the line continues in the same kind of swamp till we approach the first falls of the outlet of Grass Lake, when

## APPENDIX.

a very rocky portion of ground interposes the fourth of the inclines I have mentioned; but a greater space here occurring for the relief or avoidance of the obstacle, it may on further examination be found to be immaterial. The line then follows the level eastern margin (consisting chiefly of cedar swamp) of the outlet of Grass Lake to the second rapids, which may be bridged at a trifling expense, the water running below the rocks over which we walked. Crossing here it continues chiefly through cedar swamp nearly along the opposite bank of the stream, then follows the margin of Grass Lake till it approach the low but confined tract of table land which separates this from Skiff Lake.

With regard to the rocky portion of the route which we have now passed, though the rock consist altogether of granite, which from its granular and mossive composition is easily blasted and reduced, and is amongst the best of road materials, yet from the great magnitude and number of the blocks in some portions of the ground, it may be a cheaper expedient for the present only so far to remove or reduce them as to facilitate the construction of temporary wooden bridging, leaving the heavier expense of forming a substantial and permanent road way to be relieved by a more gradual progress of the work.

Before continuing the general description of the line from this situation it is of importance to notice the material features of the country. In my first measured route which I carried over the hill immediately to the northward of the first north Lake, for the purpose of discovering from its summit which commands nearly the whole of the valley, a favorable opening to the northward, the desired object appeared to occur, lying nearly magnetic north between two high hardwood hills bounding the view in that direction. In tracing a line through the same, however, I found the northern descent very steep, and so it continued for some distance, and the land, though first rate in quality, proved to be too broken for a road till I struck the main Deadwater Brook after having crossed one of its principal heads. From this part of the Deadwater Brook I therefore traced a measured route westerly, as represented in the plan, over the heads of three mountains (in the first of which I noticed limestone), in order to observe from their summits the most favorable direction of escape from the valley of the Palfrey. One result was the detection of the low pass from Grass Lake towards Skiff Lake, but involving the necessity of a considerable bend in order to get round a high hill sloping abruptly to the margin of the latter Lake, whence no favorable opening more direct appearing to occur the line must necessarily return to the eastward, following for about a mile the valley of one of the heads of the Deadwater Brook, taking its rise near Skiff Lake, then recovering its northerly direction by entering the valley of another small tributary of the same stream it would gain the flat ground to the northward. Another result of my visit to these hills was that of noticing the appearance of a more favorable route passing Skiff Lake to the westward, which may prove to have the merit of altogether avoiding the same kind of rocky ground which occurs in the Palfrey valley, if not that also of shortening the distance, as well as *passing through good land* the principal part of the way. Time did not permit me however actually to go over the ground of this assumed route, the general course of which I have represented on the plan, and I therefore refrain from confidently preferring that which I have surveyed until this have been as fully examined. Having made a particular survey of the pass I have pointed out in continuation of the route from Grass Lake to Deadwater Brook, I found that with the exception of a trivial rise from that Lake the route is nearly level till we get past Skiff Lake; whence the descent though somewhat circuitous is almost insensibly gradual till we get clear of the mountainous country. Whilst at Skiff Lake it may be proper to notice the possibility of getting gradually round the opposite side of the hill which we avoid to the eastward in passing the Lake, by which means, if found practicable, as much as half a mile of distance may be saved, but I had not convenient leisure properly to examine it.

From Deadwater Brook I continued my exploration N. 3° W. over nearly level ground passing within a mile of the Howard settlement till on my approach towards Eel River the land became more broken, and after a general examination and survey of nearly the whole of the south bank for about four miles below the place of crossing, which I noticed and recommended at the commencement of this report, I found that though by a diligent exploration a tolerable line of road might be marked out along or near the bank, yet it could not be so direct, level, cheap, and generally excellent as that of a more westerly line keeping in the rear of the high ground, as I had opportunity of observing from several positions, but which I afterwards could not appropriate the necessary time  
actually

## APPENDIX.

actually to survey. Nevertheless to preserve the continuity of the line, I have represented it on the plan, proceeding from Deadwater Brook in nearly a direct line to the site recommended for a bridge.

With regard to the remainder of the ground from Eel River northward, I proceeded at an early part of the survey to Woodstock in order to fix upon such terminus there as might be pointed out by the most favorable rise to the general level of the table land in the rear of the deep valley and high broken banks of the Saint John. With this principle for my guide, I was carried by the general formation of the ground to the east end of the late improvement on the Houlton road, close to the village of Woodstock; from which point going south  $35^{\circ}$  W. for about 70 rods, I thence traced a straight line S.  $23^{\circ}$  W. striking a little below the foot of the dead water of Eel River, and near to the proposed site for a bridge. With the exception of two small ravines which I crossed, and which form no material obstacles, the general direction of this line proved to be as favorable as could be desired, both with regard to the character of the ground and the gentleness and uniformity of the rise, much of it indeed being level till I approached the ravine formed by Bull creek, from whence a general diversion of the road more to the westward will be necessary in order to avoid this and the still deeper ravine formed by Meductic creek, as well as the highlands represented on the plan. Through careful observations made from various commanding positions, I am enabled to point out the route laid down as that which will prove to be nearly level, as far as it continues along the table land, with a very gradual fall thence for about two miles along the favorable portion of the line I have described, till it join the Houlton road, but time did not allow me to go over the whole of the precise ground.

The extreme length of the Woodstock and Oak Bay road by the route I have detailed will be about 67 miles, being about 4 miles over the direct distance; and I think it may be somewhat shortened as well as materially improved by the more westerly route, avoiding the head of the Pallissey valley. The positions of the several mountains and highlands laid down on the plan are all approximately and many accurately determined from actual survey or from trigonometrical observations accomplished by climbing in nearly a hundred different situations. The rivers, streams and lakes as far as they do not fall immediately within my own survey are compiled chiefly from documents, with access to which for that purpose I was kindly favored by the Honorable the Commissioner of Crown Lands.

I much regret that earnest as were my endeavours to be enabled before this period of time to lay before Your Excellency and the Legislature a complete survey of the whole line, I found it impracticable so soon to decide upon and mark out one which I could confidently pronounce and recommend to be the most eligible the country afforded; and the only portion finally bushed and staked out is that extending from the Baillie settlement road to about three miles north of the Canous, making a total distance of about nine miles, a small part of which also may be corrected with advantage. Whilst therefore my undertaking remained so far incomplete that I could not represent all the minutiae of the precise ground, it seemed preferable to adopt for my plan a scale small enough to include and point out in addition to the exploration and survey, those prominent relations to the surrounding country and that importance to the Province generally which seemed to attach to the projected road; and so deferring to lay down, as can be done only on a very large scale, those details which relate exclusively to the work itself, varying as they must with every slight change or improvement of direction, until the marking out of the line should be settled and complete.

Connected with the subject of this report, and as having I believe been hitherto unauthorized in the Province, I cannot avoid referring to the great utility of a section faithfully taken and laid down in a proper manner, on a large horizontal scale, and on a vertical one, say not smaller than thirty feet to an inch; the effect of which would be to shew at a glance the general gradation of the line, and especially those inequalities of the natural surface in detail which are the chief sources of difficulty and expense; thus precluding the necessity of much tedious description, that after all must generally fail to be clear and satisfactory.

Notwithstanding my anxious study to avoid such a result, I regret that the accompanying accounts should exhibit so material an excess over the sum appropriated to meet the necessary expenses; but having observed at every step a rigorous regard to

## APPENDIX.

economy, I trust I may with the more confidence leave the same to the favorable recommendation of Your Excellency and the consideration of the Legislature.

I have the honor to be, Sir,

Your Excellency's most obedient humble servant,

JOHN WILKINSON.

*Saint Andrews, 16th January, 1838.*

### REPORT OF B. L. PETERS ON A NEW LINE OF ROAD FROM THE BRIDGE IN NORTON TO THE CHURCH IN HAMPTON.

*Saint John, New Brunswick, December 27, 1837.*

SIR—

The Subscriber having been directed by an order made at the meeting of the General Assembly last winter, to examine a new line of road from the Toll Bridge in the Parish of Norton, in King's County, to Groom's Bridge (so called) near the Church at Hampton, begs respectfully to submit the following report for the information of His Excellency and the General Assembly.

The contemplated road if taken by a carefully explored line will, I have no doubt, materially improve the line of road, and I believe shorten the distance some; to accomplish this I consider it requisite to continue the alteration lately made and now in course of improvement by Mr. Commissioner Wetmore, quite from the point he discontinued working up to the Toll Bridge, abandoning the whole of the line as formerly laid out, and taking the road between it and the River, passing very near the residence of Mr. Hendricks, and following that level until you turn the side of a hill lying between Mr. Hendricks' house and Norton Bridge, thence by a direct line to the Bridge.

How far it is practicable to accomplish this line without incurring a considerable expense in payment for improved land, I cannot say; many of the proprietors I have no doubt would willingly allow the road to be laid out, and give the land—others I am induced to believe would claim damage. The land, generally speaking, over which the road will pass is good, and will be made at a reasonable expense. If the General Assembly intend opening this line of Road with a view of *eventually* adopting it as part of the great road to Westmorland, I consider it highly requisite that a still more careful and minute examination should be made before determining the precise line to be adopted.

Respectfully submitted.

BENJ. L. PETERS, *Supervisor.*

The Honorable W. F. Odell, Secretary of the Province, &c. &c.  
Fredericton.

### REPORT OF JAKES DAIGLE OF THE EXPLORATION OF A ROAD FROM POINT SAPIN TO KOUCHIBOUGUAC.

*Point Sapin, Carleton, 31st December, 1837.*

MAY IT PLEASE YOUR EXCELLENCY,

In obedience to my appointment as Commissioner for exploring a proper site for a road from Point Sapin to Kouchibouguac River in the County of Kent, I have done the duty required by the Legislature, and a short time since I forwarded my accounts for the service.

My first step was to secure the assistance of a competent person attached to the Crown Lands Office to execute a survey of the route, and I have great pleasure in reporting that the duty was performed in a manner to meet my entire approbation.

The plan and report I have the honor to enclose for the information of Your Excellency and of the Legislature, will shew the many advantages attending the making of the road along the route proposed instead of following, as has been hitherto done, the sea shore, crossing rivers and bays, frequently at the hazard of human life. I do not consider the present survey as final, for I would desire to have a line extended from Portage River to the Great Road, at or near the Mill village, to the northward of the present one, for the purpose of avoiding crossing Black River in the Tideway, a tract of lowland in the neighborhood

## APPENDIX.

neighborhood of Tweedie's meadow, and several very steep hills on the present road fronting on the Kouchibouguac. I am not however sanguine in my expectations of finding land so good in other respects to balance the obstacles to be met with on the route at present so fully explored. I have only to say in addition that Mr. Layton and Mr. Muzeroll have performed their services gratuitously. In the confident hope that my execution of the duties of my appointment will meet the approbation of Your Excellency and of the Legislature.

I have the honor to be,  
May it please Your Excellency,  
Your Excellency's most obedient humble servant,

JAQUES DAIGLE, *Commissioner*.

His Excellency the Lieutenant Governor, &c. &c.

### *Exploration of a Road from Point Sapin to Kouchibouguac.*

RICHIBUCTO, 31st October, 1837.

Commenced at the south cape, and ran north eighty six degrees west one hundred and twelve chains and ninety two links of high land, covered with a mixed growth of hard and soft wood; thence south eighty five degrees west one hundred and twenty one chains—spruce land, but a good soil for a road; thence south sixty eight degrees west seven chains, and south forty eight degrees west eighteen chains and fifty links of burnt spruce wood; thence south thirty five degrees west twenty five chains and fifty links to Portage River—burnt spruce woods, very open, and of a good sandy bottom. These short courses delineate the edge of a plain that extends from the Gulf Shore, as shown on the accompanying plan. Portage River where the route crosses it is about one chain and fifty links, with very low banks on each side, at which a bridge may be erected with very little expense. From Portage River south fifty five degrees west fifty five chains of burnt spruce and very open woods, and having a fine white sandy bottom; thence forty five chains—land of a mixed growth and excellent for cultivation, extending to the eastward ninety five chains of swampy land, but affording a bottom fit for making a good road, thirty five chains of dry land covered with a fine growth of spruce, forty chains burnt spruce woods very open and good bottom, thirty five chains green spruce land, fifteen chains to Corrigan's creek, but here a mere rill, one hundred and thirty chains to a small brook, twenty chains to Murphy's creek. This brook is about seventy five links wide with high banks. Ten chains of open land thirty five chains, a plain which extends to the westward for a considerable distance, and to the eastward about five chains. Twenty five chains of burnt woods, very fine, open and white sandy bottom, and a small brook, twenty seven of burnt spruce woods, open and fine sandy bottom, eleven chains and fifty links of good green wood, and to Black River. The River here is three chains and fifty links wide, and the banks a little high; nothing appears to be unfavorable for the road from Corrigan's Creek to Black River except a small plain and the high banks of Murphy's creek, but by taking a course from Corrigan's creek south forty eight degrees west to Murphy's creek, and then south sixty two degrees west to strike Black River at this place, would avoid all obstructions. The whole distance from Portage River to the south side of Black River is five hundred and eighty two chains or nine miles and a quarter. From Black River south fifty degrees west ninety chains of burnt woods, good bottom, twenty chains to the meadow brook mixed green woods, fine high land, ten chains to Tweedie's meadow, eighteen chains green spruce woods; here to avoid the meadow brook we directed our course to the eastward, as this stream in the spring and fall overflows its banks and floods the adjacent land. To make the course from Black River south forty eight degrees west, as shown on the plan, will avoid this bad place, and run on good high hard wood land. Thence south fifty degrees west sixty five chains of good mixed hemlock land, thirty chains of burnt woods very dry, and white sandy bottom, fifteen chains of green woods, thirty six chains to the Kouchibouguac River road, which is turnpiked all the way to the Post road.

PETER MUZEROLL.

Mr. Jaques Daigle.

REPORT

## APPENDIX.

### REPORT OF N. HUBBARD, SUPERVISOR OF THE GREAT ROAD FROM THE NASHWAAK TO THE FINGER BOARD.

*To His Excellency Major General Sir John Harvey, K. C. H. and C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

The report of Nathaniel Hubbard, Supervisor of the Great Road from the Nashwaak opposite Fredericton to the Finger Board, sheweth—

That a new line of road explored by Messrs. Foshay and Earle has been turnpiked, causewayed and bridged in the most suitable manner nearly six miles through a wilderness country, with the exception of White's Farm at the Narrows in the Washade-moak Lake. The remainder of this new line is on the west side of the Lake, which is about eight or nine miles to where it intersects the old road on an intervalle; this last part of the line mentioned on the west side of the Lake is also through wilderness land, except about one and a half miles, which is through cleared fields and intervalle. The probable estimate of costs to finish this line of road will be about £1000, as there will be (say) three heavy causeways, and one large bridge to make. The bridges that were erected some years since in the Parish of Maugerville across the Eastey creek are now in a bad state; one is completely down and the other will most likely go next spring when the freshet is up. I should most strongly recommend that a grant of money be given for the building of a new bridge to be erected across the Main creek at the upper point, so called, of said island, thereby saving the expense of erecting two bridges, and the site more favorable as to permanent standing, at the same time it will shorten the distance.

With all due submission I beg leave to differ in the views taken by the Commissioners in the alteration of the line of road made by them from the Nashwaak to the lower line of the County of York, as the line pointed out by me is the most advantageous to the public as well as to the individuals.

I have forborne expending more of the £100, being the sum that was granted for said line of road, than was necessary to explore and other necessary expenses in getting the damages assessed, until I could learn what would be the result of the line so laid out by the Commissioners.

All of which is most respectfully submitted.

NATHL. HUBBARD, *Supervisor.*

*Berton, 29th January, 1838.*

### REPORT FROM B. L. PETERS, J. ALLEN AND G. ANDERSON OF AN EXPLORATION ON ROAD FROM SAINT JOHN TO SAINT ANDREWS.

*Saint John, N. B. February 2, 1838.*

SIR—

Accompanying this I have the honor to hand you the report of Commissioners appointed by His Excellency the Lieutenant Governor and Council for exploring a proposed alteration on the great road of communication from Saint John to Saint Andrews, and will feel obliged by your goodness in laying the same before His Excellency.

The plan accompanying the report has been prepared by order of Mr. Supervisor Anderson, and shows particularly the alteration proposed, by which it appears the distance is shortened nearly one mile. In our report we *judged* the distance shortened about three quarters of a mile. This survey has been made since, and we are pleased to forward it for the information of the Governor and Council.

I have the honor to be, Sir,

Your obedient servant,

BENJAMIN L. PETERS,

The Honorable W. F. Odell, Secretary of the Province, &c. &c. Fredericton.

*Report of Benjamin L. Peters and Jacob Allen, as Commissioners appointed with George Anderson, Esquire, Supervisor, to explore a proposed alteration in the Road and site for a new Bridge over the Musquash River,*

MOST RESPECTFULLY SHEWETH,

That the said Commissioners have attended to that duty with the Supervisor, and it is their opinion that the proposed alteration will, if adopted, materially improve and shorten



## APPENDIX.

shorten the distance as well as make a perfectly straight line. The site of the bridge appears good, and they consider the expense of completing the road would very little exceed (with the exception of bridge and amount required for paying the marsh proprietors for the land) the amount required for improving and widening the present line to make it safe for two teams to pass conveniently. The distance over the marsh is shortened about three quarters of a mile.

That part of the proposed alteration between the marsh and Negro brook will avoid several dangerous and heavy hills, and afford an opportunity to widen the Road which is much required.

There is one fact the Commissioners feel it their duty to state in justice to the mill proprietors, that is, the heavy additional expense they must necessarily be put to in transporting their lumber to market, the bridge will require to be fixed with a draw for the convenience of passing vessels, and must consequently be attended with considerable delay and expense, and when open will impede and stop the public travelling. This the Commissioners consider the only material objection, and they beg respectfully to suggest it for the information and consideration of the Legislature.

All of which is most humbly submitted.

BENJ. L. PETERS,  
JACOB ALLAN,  
GEORGE ANDERSON, } *Commissioners.*

*Saint John, N. B. January 27, 1838.*

### REPORT OF COMMISSIONERS APPOINTED TO EXPLORE THAT PART OF THE GREAT ROAD FROM FREDERICTON TO THE CANADA LINE WHICH LIES BETWEEN CAMBER'S CREEK AND BURGOWNE'S FERRY.

*To His Excellency Major General Sir John Harvey, K. C. H. & C. B. Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

The Commissioners appointed to make a further exploration of that part of the Great Road of Communication from Fredericton to the Canada line which lies between Camber's Creek and Burgoyne's Ferry, hereby report—

That the district between Camber's Creek and Burgoyne's Ferry aforesaid is about eleven miles in extent; the land is chiefly cleared, and a large portion of it cultivated. The district abounds with steep hills, creeks, vallies and ravines, and therefore a line of road leading through it, which would be safe, easy and convenient, cannot be opened and maintained without a large expenditure of money.

Our first step in the service to which we were appointed was to call on James A. Maclauchlan, Esquire, the Supervisor, who politely attended us through the whole district, carefully pointing out the state and condition of all parts of the present road, with all his contemplated alterations and improvements. We were enabled from several eminences to observe the main features of the country, and to mark the difficulties and facilities presented by the shape of the ground; and after carefully examining and travelling over the same, we found that a straight line of road for any considerable distance, would not only be exceedingly inconvenient for the settlers, but would be in fact utterly impracticable. We therefore concluded not to recommend alterations in any part of the present line where it can be so improved as to be travelled with comparative ease and perfect safety, but to retain as much of the same as is consistent with the purposes for which the great road of communication is intended.

Commencing therefore at the bridge near Camber's (which is a neat and substantial one) we observe a very considerable alteration proposed by the Supervisor between that and the bridge near Sutherland's. Although this would materially improve the line, we cannot recommend its adoption until other improvements absolutely necessary are made in the upper part of the district; should this alteration be finally adopted we would recommend the road to be opened for some distance in direct range with the bridge before it joins the line proposed by the Supervisor; the judicious application of the statute labour, and the removal of the fences to their proper distances, will in the mean time maintain a very safe and passable road between the two bridges.

The bridge near Sutherland's, though substantially and neatly built, is too low, and



## APPENDIX.

is set to correspond with another material alteration proposed by the Supervisor. This alteration would also improve the appearance of the line, but we must decline to advise its adoption for the reasons above stated ; in the mean time we would recommend the expenditure of a small sum to cut down the top of the hill in front of Sutherland's, and with the materials to form a more gradual slope towards the end of the bridge. We would also recommend the building of a new bridge near Murray's of a height sufficient to relieve the present steep banks of the ravine ; this done, and the fences along the line removed to their proper distances, the statute labour would maintain a good road from the bridge at Sutherland's to the hill near M'Keen's.

To avoid a steep hill in front of M'Keen's house the Supervisor had proposed an alteration ; this we consider absolutely necessary, and therefore would recommend the raising of the bridge over the ravine where it now stands, carrying the alteration from the present line at M'Keen's barnyard, and following a line of stakes to join the road again near a small elm tree.

The next difficult point is the steep hill at Esty's barn ; this we would have cut down at an expenditure of about £40, and the materials carried to make the slope more gradual on the steepest side.

The Supervisor had prepared an alteration to avoid the hill at Martin's ; this we consider absolutely necessary, and have staked it out accordingly. We also approve of his proposal to raise and widen the bridge and cut down the hill at Marsh's.

The next alteration proposed by the Supervisor extends from Murray's bars, passing in rear of Kilburn's, and joining the road again between the school house and John Hayward's ; this alteration, though extensive, we consider judicious, and on account of the difficult and dangerous state of the present road highly desirable, and would therefore recommend its adoption as soon as possible.

We now come to the most difficult and perplexing part of the service, viz. the examination and consideration of the bridge and hill at Cuyer's or Currier's creek. We are sorry to say that this place forms an obstacle to safe and easy communication altogether insurmountable. It is also connected with about three miles of road, the greater part of which has been recently made (and well made) at a heavy expense. We are fully persuaded of the absolute necessity of making an alteration there, but this measure affects the rest of the line, and would lead to the abandonment of a part of the road, including the bridge, which could not have been made for less than six or seven hundred pounds ; after much deliberation, therefore, we concluded to explore and mark out a new line to agree with that part of the ravine to which we deem it necessary to remove the bridge. This line commences at the termination of the alteration last proposed by the Supervisor—passes near John Hayward's—crosses a ravine at Paterson's bridge—crosses Cuyer's creek, below the present road—passes in front of Good's, and joins the road again at a small bridge on the hill near Long's ; the whole distance being two miles and three quarters. We obtained the services of scientific persons, who with proper instruments surveyed and measured the new line, and also the part of the present road corresponding with the same, noting not only the courses and distances, but the elevations and depressions also. The accompanying plans will show the relative position and condition of those lines ; and having thus made all possible endeavors to furnish a proper estimate of every circumstance connected with this difficult point, we beg that it may be referred to the consideration of the Legislature before a choice is finally made. Where the new line crosses the ravine at Paterson's bridge, a bridge one hundred and sixty feet long and twenty five feet high would be required ; at Cuyer's creek the bridge would have to be three hundred feet long and twenty five feet high ; and we have ascertained that the present bridge could be removed at an expense of about sixty pounds. By the adoption of this alteration the distance would be considerably reduced, and the dangerous and difficult hills avoided ; at the same time nearly three miles of well made road would have to be abandoned.

The practice which prevails throughout this district of placing fences within the bounds of the highway must be the cause of many of the impassable snow drifts so loudly complained of, and the road in many places is seriously injured by streams of water running in the side ditches. We would, therefore, beg to remind the proper officers of the necessity of carrying the water from the side ditches by proper conveyances, where

## APPENDIX.

where the same is necessary, and of clearing the road from all manner of incumbrances.

Respectfully submitted.

GEO. HAYWARD,  
JAMES BROWN, JUN. } *Commissioners.*  
ADAM B. SHARP,

### REPORT OF COMMISSIONER APPOINTED TO EXPLORE A LINE FOR A ROAD BETWEEN THE FALLS OF THE MAGAGUADAVIC AND THE NEREPI ROAD.

*Saint Andrews, 14th June, 1837.*

SIR—

Agreeably to my appointment by His Excellency the Lieutenant Governor, dated — April last, to make an exploration in order to ascertain the practicability of a road from the upper falls of the Magaguadavic river to some point on the Nerepis road at or near the “halfway house,” I have endeavored to perform that service, and beg leave to submit the following report.

Commencing at the Magaguadavic upper falls, and finding a bye road, already opened, running in an easterly direction as far as the mill called Pendleton’s mill, situated at the foot of a high group of hills bearing the general name of the Red Rock, I adopted this road for my line of exploration as far as it extended ; and with some corrections, which a particular survey only could determine, this portion of the line I found unobjectionable excepting (as it will appear) in its general direction. From Pendleton’s mill I ascended the Red Rock at a point immediately to the northward, from whence I had a commanding view from west to south east, but had to proceed in a north easterly direction for about three miles along the summits of the hills before any prospect opened to the northward and northeast. I here found the high land suddenly terminating in a precipice or cliff of considerable elevation, with a small lake at its foot, and overlooking an extensive landscape uninterrupted in its range from north to south. From hence I selected for my line of exploration magnetic north  $64\frac{1}{2}^{\circ}$  east, and from this line I was diverted to the northward, say one half or three quarters of a mile, only by one lake during my course to the Nerepis road. Several lakes, some of them large, were however observed closely in the vicinity of my line, the principal of which I have attempted to shew in the eye sketch herewith submitted. These lakes added to several abrupt acclivities and declivities which I had to cross, would necessarily form in the general line a number of circuitous bends, and add materially to its length, yet no decided obstacle is met with until we reach a deep and narrow valley about three miles to the southward of the half way house, along which is found a bye road from the Nerepis great road, leaving the latter, as I was informed by a settler, about three miles below, and affording a short route to Fredericton. From this valley the nearest practicable way of reaching the Nerepis road appeared to be by following the former downwards and by way of the bye road just mentioned, as the high hills crossing my course at this point form too great an impediment to a direct line. I continued the same however until I struck the Nerepis road at something more than a mile below the halfway house. Commencing from the latter as a starting point I returned towards the Magaguadavic by a more northerly route, from which I observed on my right a plain open country, presenting no obvious difficulty for a good and very direct line of road for apparently more than half the whole distance, say from the Nerepis to the southern extremity of a large lake, bounded on the westward by a high range of hills terminating abruptly in the south in a remarkable head conspicuous for several miles, east and west. This point may be approached from the Magaguadavic upper falls in two directions. That upon the practicability of which I am enabled to speak with the most certainty would pass by way of Pendleton’s mill, thence between the Red Rock hills and the Red Rock lake, thence entering a depression in the land, running below the general level about east north east, and continuing along the same for about four or five miles, when, avoiding a lake on the left it would diverge north easterly, and find a narrow strait near the head of another lake, and crossing the same would proceed up a valley, which as far as could be observed is very favorable for the purpose, and leads to the situation required. This route is however to all appearance liable to the objection of being unnecessarily

## APPENDIX.

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unnecessarily circuitous, and if further exploration (which I found the limited means appropriated would not warrant at present) should discover no obstacle to the northward of the Red Rock hills, it is evident that the direct line will pass that way, as indicated in the accompanying sketch.

Time not permitting me to measure distances, I can in that respect make no satisfactory statement, but should estimate the extreme from point to point at thirty miles, more or less.

All which is with high respect submitted.

I have the honor to be, Sir,

Your Excellency's most obedient humble servant,

JOHN WILKINSON.

To His Excellency Major General Sir John Harvey, K. C. H. & C. B.  
Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

# GENERAL ACCOUNT.

The Province of New Brunswick in Account Current with B. Robinson, Province Treasurer, from 1st January to 31st December, 1837.

Dr.		Cr.	
To amount of Warrants issued prior to the year 1837, paid from 1st January to 31st December, 1837,	A 6,583 14 3	By Balance due the Province 1st January, 1837,	G 28,906 1 2
" of Interest paid on ditto,	" 414 68	" Amount received from Collector of H. M. Customs at this port, from 1st January, to 31st December, 1837,	H 7,255 16 10
" of Warrants of series 1837, paid from 1st January to 31st December, 1837,	B 74,381 8 3	" of specific and ad-valorem duties collected at Saint John from ditto to ditto,	I 28,473 10 7
" of Interest paid on ditto,	" 608 16 11	" of specific and ad-valorem duties on seizures sold by the Officers of H. M. Customs at Saint John from ditto to ditto,	K 105 6 2
" of 134 cases of drawbacks settled from 1st January to 31st December, 1837,	C 1,592 0 0	" of Auction duties collected at Saint John from ditto to ditto,	L 1,774 11 6
" of sundry discounts allowed on the prompt payment of duties from ditto to ditto,	D 19 13 1	" of Pedlers' licences issued at Saint John from ditto to ditto,	M 27 10 0
" of duties refd of William J. mities	E 8 6 6	Balance of cash with Saint John Savings Bank.	N 260 5 0
To balance due the Prov	F 18,142 15 0	Amount received	O 60 16 8
	2,082 15 2	" " refunded,	P 364 4 2
		" " his account,	Q 0 16 10
		" " from William Hanington, Esq. late Deputy Treasurer at Shediac, balance due by him,	R 8,147 19 8
		" Amount borrowed from Casual and Territorial Revenue Fund account,	S 3,010 0 6
		" Amount received from Miramichi. Thomas H. Peters,	T 2,205 16 3
		" " Campbell,	U 1,194 5 6
		" " Watson, J. Stewart,	V 860 0 6
		" " Richbucto, J. W. Weldon,	W 380 7 5
		" " Fredericton, } H. G. Cloupe,	X 32 18 9
		" " Joseph Beck,	Y 348 6 3
		" " Woodstock, J. Ketchum,	Z 290 14 4
		" " Saint Stephens, R. Watson,	1 182 8 11
		" " West Isles, C. H. Jonett,	2 68 15 0
		" " Saint George's, A. J. Wetmore,	3 21 8 0
		" " Shediac, D. Hanington,	4 16,642 15 7
			5 103,467 9 8

B. ROBINSON, PROVINCE TREASURER.

Treasury, Saint John, 1st January, 1838.



**The Province of New Brunswick in Account Current with the Provincial Treasury Department.  
from 1st January to 31st December, 1937.**

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To Amount of Warrants paid by Province Treasurer, viz:—		By the following Balances due the Province, viz:—	
Old Series,	6,583 14 3	From Province Treasurer, 1st January, 1837,	28,905 1 2
Interest on ditto,	4 14 6	“ Deputy Treasurer, Saint Stephens, 1st December, 1836,	52 14 6
Series, 1837,	74,381 8 3	“ “ Saint Andrews,	2,753 14 9
Interest on ditto,	608 16 11	“ “ West Isles,	109 2 7
“ Amount paid for Drawbacks at Saint John,	1,582 0 0	“ “ Woodstock,	4 7 5
“ “ Miramichi,	1,070 2 3	“ “ Bathurst,	2,187 13 7
“ “ Saint Andrews,	732 6 0	“ “ Dalhousie,	678 8 10
“ “ Bathurst,	48 12 0	“ “ Miramichi,	5,709 6 8
“ “ Dalhousie,	103 1 0	“ “ Richibucto,	55 18 11
“ Amount paid for Discounts at Saint John,	19 13 1	“ General Duties collected at Saint John, 1837,	28,578 16 9
“ “ Miramichi,	23 19 0	“ Saint Stephens,	387 14 6
“ “ Bathurst,	7 3 4	“ Saint Andrews,	3,549 10 10
“ “ Dalhousie,	51 10 10	“ West Isles,	47 19 3
“ “ Woodstock,	8 6 6	“ Woodstock,	280 6 6
“ Amount of Duties refunded at Saint John,	300 0 0	“ Bathurst,	1,394 3 0
“ Amount of pay to the Treasury Department, viz:—	300 0 0	“ Dalhousie,	1,893 7 8
Deputy Treasurers Commissions, Miramichi,	189 6 9	“ Miramichi,	5,922 8 11
“ “ Saint Andrews,	139 16 0	“ Richibucto,	876 4 6
“ “ Bathurst,	89 8 0	“ Shediac,	21 5 2
“ “ Richibucto,	39 5 1	“ Fredericton,	42 10 7
“ “ Fredericton,	39 8 2	“ Bay Verte,	4 7 6
“ “ Woodstock,	19 16 7	“ Saint George's, 3 years,	193 7 5
“ “ Saint George's,	4 15 11	“ Auction Duties collected at Saint John, 1837,	1,774 11 6
“ “ West Isles,	2 7 6	“ Fredericton,	347 10 8
“ “ Shediac,	0 8 9	“ Miramichi,	33 3 0
“ “ Bay Verte,	0 8 9	“ Saint Andrews,	116 3 2
“ Amount of premium paid by J. Miller, Deputy Treasurer at Bathurst for	9 6 7	“ Richibucto,	2 4 9
drafts on Saint John,	43 6 0	“ Parliamentary duties received at Saint John, 1837,	7,258 16 10
“ Amount of bonds put in suit, viz:—	461 3 7	“ “ Miramichi,	1,443 0 7
“ “ Andrews,	20,235 10 2	“ Bathurst,	169 18 11
“ Balances remaining in the hands of Province Treasurer, Saint John,	2,175 0 6	“ Dalhousie,	162 15 9
“ Deputy Treasurer at Saint Andrews,	3,565 18 3	“ “ Richibucto,	116 11 2
“ “ Miramichi,	1,345 1 4	“ “ Woodstock,	113 15 5
“ “ Bathurst,	1,196 10 2	“ Amount received for Pedler's licences, Saint John, 1837,	27 10 0
“ “ Dalhousie,	627 1 3	“ “ Saint Andrews,	12 10 0
“ “ Richibucto,	149 14 8	“ “ Richibucto,	15 10 0
“ “ Saint Stephens,	109 15 10	“ “ Bathurst,	4 0 0
“ “ Saint George's,	10 14 11	“ “ Fredericton,	2 10 0
“ “ Woodstock,	318 9	“ “ “	2 10 0
“ “ Bay Verte,		“ Amount received at Saint John for	260 5 0
		“ “ “ for	60 16 8
		“ “ Saint Andrews,	10 0 0
		“ “ Saint John, bal	0 16 10
		“ “ “	364 4 2
		“ “ from the Honon	
		“ General, b	
		“ Saint Andrews,	230 11 10
		“ “ at Saint John from Savings Bank,	291 5 0
		“ “ borrowed from Casual and Territorial Revenue Fund,	
		“ being proceeds of Bills of Exchange for £15,000	19,308 10 2
		“ sterling,	
		“ due to Daniel Hanington, Esquire, Deputy Treasurer at Shediac,	0 0 4
		“ over remitted by him,	
			116,283 2 8



# STATEMENT OF BALANCES.

Beverley Robinson, Esquire, Province Treasurer, in account for all public balances due by him.

Dr.		Cr.
To balance due per general account,		70
" " per Casual and Territorial		0
" " per Passenger and E	Bank of New Brunswick,	0
" " per Pay of Fundy L	Commercial Bank,	0
" " per Sick and Disab	Central Bank,	0
	Saint John Bridge Company,	0
	"	0
	"	10
	Advanced on account of protection of Rev	11
	" on account of office rent and co	
	" for pay of John Abrams, Tide	0
	" grant for grant of Section 1836-	0
	" for pay of Province Treasurer,	0
	" for pay of H. Whiteside Treas	8
	to 31	
	of cash advanced to	
	for Lights, over the	2
	of cash actually on	3
		58,324 19 10

I, Beverley Robinson, do solemnly swear that the above account, and all the other accounts to which this refer, are just and true, to the best of my knowledge and belief; and that the sum of three thousand six hundred and six pounds, seventeen shillings and three pence is actually on hand in cash, this first day of January, one thousand eight hundred and thirty eight.

B. ROBINSON, PROVINCE TREASURER.

Sworn before me, this 13th day of January, 1838.  
JOHN KINNEAR, J. P.





# CASUAL AND TERRITORIAL REVENUE FUND.

The Casual and Territorial Revenue Fund in Account Current with Beverley Robinson, Esquire, Province Treasurer, from the 27th July to the 31st December, 1837.

Dr.		Cr.
To amount of cash lent to General Revenues to pay off War-rants, bearing interest at 6 per cent.,	19,	
" balance in the hands of B. Robinson, Province Treasurer,	35,	
in bonds, as stated on credit side of this account,		
		10,000 00
		10,000 00
		9,000 00
		3,000 00
		3,000 00
		19,305 10 2
		£ 54,305 10 2

B. ROBINSON, PROVINCE TREASURER.

Provincial Treasury, Saint John, 1st January, 1838.



*Account of sale of Bills of Exchange, drawn on the Right Honorable the Lords Commissioners of Her Majesty's Treasury, by His Excellency Sir John Harvey, Lieutenant Governor, in favor of B. Robinson, Esquire, Province Treasurer.*

Date of Sale.	Nos.	To whom sold.	Amount Sterling.	Rate of Exchange.	Amount Currency.
1837.					
August 9	1	Cox, Hammersley & Co.,	500 00	15 per cent. premium,	638 17 9
—	2	W. H. Street & Ranney,	500 00	ditto,	638 17 9
—	3	A. W. Whipple,	500 00	ditto,	638 17 9
—	4	Henry Gilbert,	500 00	ditto,	638 17 9
—	5	ditto,	500 00	ditto,	638 17 9
—	6	ditto,	500 00	ditto,	638 17 9
—	7	ditto,	500 00	ditto,	638 17 9
—	8	ditto,	500 00	ditto,	638 17 9
—	9	ditto,	500 00	ditto,	638 17 9
—	10	ditto,	500 00	ditto,	638 17 9
—	11	W. H. Street & Ranney,	250 00	ditto,	319 8 11
—	12	ditto,	250 00	ditto,	319 8 11
—	13	Henry Gilbert,	250 00	ditto,	319 8 11
—	14	ditto,	250 00	ditto,	319 8 11
—	15	ditto,	250 00	ditto,	319 8 11
—	16	ditto,	250 00	ditto,	319 8 11
—	17	ditto,	250 00	ditto,	319 8 11
—	18	ditto,	250 00	ditto,	319 8 11
—	19	A. W. Whipple,	200 00	ditto,	255 11 1
—	20	ditto,	200 00	ditto,	255 11 1
—	21	ditto,	200 00	ditto,	255 11 1
—	22	ditto,	200 00	ditto,	255 11 1
—	23	ditto,	200 00	ditto,	255 11 1
—	24	Thomas E. Millidge,	200 00	ditto,	255 11 1
—	25	ditto,	200 00	ditto,	255 11 1
—	26	C. R. Jarvis,	200 00	ditto,	255 11 1
—	27	ditto,	200 00	ditto,	255 11 1
—	28	A. W. Whipple,	200 00	ditto,	255 11 1
—	29	ditto,	100 00	ditto,	127 15 6
—	30	ditto,	100 00	ditto,	127 15 6
—	31	C. R. Jarvis,	100 00	ditto,	127 15 6
—	32	Thomas E. Millidge,	100 00	ditto,	127 15 6
—	33	H. B. Smith,	100 00	ditto,	127 15 6
—	34	A. W. Whipple,	100 00	ditto,	127 15 6
—	35	ditto,	100 00	ditto,	127 15 6
—	36	ditto,	100 00	ditto,	127 15 6
—	37	ditto,	100 00	ditto,	127 15 6
—	38	ditto,	100 00	ditto,	127 15 6
—	21 39	Robert Clawson,	500 00	17½ per cent premium,	652 15 7
—	25 40	Henry Gilbert,	500 00	ditto,	652 15 7
—	— 41	ditto,	500 00	ditto,	652 15 7
—	— 42	ditto,	500 00	ditto,	652 15 7
—	16 43	Barnabas Tilton,	500 00	ditto,	652 15 7
—	12 49	S. Wiggins & Son,	250 00	ditto,	326 7 9
—	25 50	E. D. W. Ratchford,	250 00	ditto,	326 7 9
—	16 51	Holdsworth & Daniel,	250 00	ditto,	326 7 9
—	19 52	W. H. Street & Ranney,	250 00	ditto,	326 7 9
—	18 53	John M'Conkey,	250 00	ditto,	326 7 0
—	16 63	James Robertson,	150 00	ditto,	195 16 8
—	— 64	E. D. W. Ratchford,	150 00	ditto,	195 16 8
—	— 65	ditto,	150 00	ditto,	195 16 8
—	18 66	John M'Conkey,	150 00	ditto,	195 16 8
—	16 67	Holdsworth & Daniel,	150 00	ditto,	195 16 8
—	— 70	James E. M'Donald,	100 00	ditto,	130 11 1
—	18 71	F. E. Beckwith,	100 00	ditto,	130 11 1
—	— 72	C. J. Peters,	100 00	ditto,	130 11 1
—	— 73	Lewis Bliss,	100 00	ditto,	130 11 1
—	21 74	William Hammond,	100 00	ditto,	130 11 1
			£ 15,000 0 0		£ 19,305 10 2

Amounting to nineteen thousand three hundred and five pounds, ten shillings and two pence currency.

B. ROBINSON, *Province Treasurer.*

Treasury, Saint John, 1st January, 1838.



The Province of New Brunswick in Account Current with the Provincial Treasury Department.  
from 1st January to 31st December, 1837.

Dr.		Cr.	
To Amount of Warrants paid by Province Treasurer, viz.:-		By the following Balances due the Province, viz.:-	
Old Series,	6,831 14 3	From Province Treasurer, 1st January, 1837,	28,905 1 2
Interest on ditto,	414 6	" Deputy Treasurer, Saint Stephens, 1st December, 1836,	521 4 6
Series, 1837,	74,381 8 3	" Saint Andrews,	2,759 14 9
Interest on ditto,	608 16 11	" West Isles,	109 2 7
" Amount paid for Drawbacks at Saint John,	1,582 0 0	" Woodstock,	4 7 5
" " " Miramichi,	1,070 2 3	" Bathurst,	2,187 13 7
" " " Saint Andrews,	732 6 0	" Dalhousie,	678 8 10
" " " Bathurst,	4812 0	" Miramichi,	5,709 6 8
" " " Dalhousie,	103 1 0	" Richibucto,	555 18 11
" Amount paid for Discounts at Saint John,	1913 1	" General Duties collected at Saint John, 1837,	28,578 16 9
" " " Miramichi,	2319 0	" Saint Stephens,	387 14 6
" " " Bathurst,	7 3 4	" Saint Andrews,	3,549 10 10
" " " Dalhousie,	5110 10	" West Isles,	47 19 3
" Amount of Duties refunded at Saint John,	8 6 6	" Woodstock,	280 6 6
" " " Bathurst,	300 0 0	" Bathurst,	1,394 3 0
" " " Miramichi,	300 0 0	" Dalhousie,	1,893 7 8
" " " Saint Andrews,	189 6 9	" Miramichi,	5,922 8 11
" " " Dalhousie,	139 16 0	" Richibucto,	876 4 6
" " " Bathurst,	89 8 0	" Shediac,	21 5 2
" " " Miramichi,	39 8 1	" Fredericton,	4210 7
" " " Saint Andrews,	39 8 2	" Bay Verte,	4 7 6
" " " Dalhousie,	1916 7	" Saint George's, 3 years,	193 7 5
" " " Bathurst,	415 11	" Auction Duties collected at Saint John, 1837,	1,774 11 6
" " " Miramichi,	27 6	" Fredericton,	347 10 8
" " " Saint Andrews,	0 8 9	" Miramichi,	33 3 0
" " " Dalhousie,	9 6 7	" Saint Andrews,	116 3 2
" " " Bathurst,	43 6 0	" Richibucto,	2 4 8
" " " Miramichi,	461 3 7	" Parliamentary duties received at Saint John, 1837,	7,255 16 10
" " " Saint Andrews,	20,235 10 2	" " " Miramichi,	1,443 0 7
" " " Dalhousie,	2,175 0 6	" " " Bathurst,	169 18 11
" " " Bathurst,	3,565 18 3	" " " Dalhousie,	162 18 9
" " " Miramichi,	1,345 1 4	" " " Richibucto,	116 11 2
" " " Saint Andrews,	1,196 10 2	" " " Woodstock,	113 15 5
" " " Dalhousie,	627 1 3	" Amount received for Pedler's licences, Saint John, 1837,	27 10 0
" " " Bathurst,	149 14 8	" " " Saint Andrews,	1210 0
" " " Miramichi,	109 15 10	" " " Richibucto,	1510 0
" " " Saint Andrews,	1014 11	" " " Bathurst,	4 0 0
" " " Dalhousie,	318 9	" " " Fredericton,	210 0
" " " Bathurst,		" " " Shediac,	210 0
" " " Miramichi,		" " " Saint George's,	5 0 0
" " " Saint Andrews,		" Amount received at Saint John for premium	260 5 0
" " " Dalhousie,		" " " for refund	60 16 8
" " " Bathurst,		" " " Saint Andrews, for	10 0 0
" " " Miramichi,		" " " Saint John, balance due	0 16 10
" " " Saint Andrews,		" " " of	364 4 2
" " " Dalhousie,		" " " from the Honorable C.	
" " " Bathurst,		General, by James Campbell, Deputy Treasurer at	
" " " Miramichi,		Saint Andrews,	230 11 10
" " " Saint Andrews,		" at Saint John from Savings Bank,	291 5 0
" " " Dalhousie,		" borrowed from Casual and Territorial Revenue Fund,	
" " " Bathurst,		being proceeds of Bills of Exchange for £15,000	19,305 10 2
" " " Miramichi,		sterling,	
" " " Saint Andrews,		" due to Daniel Hanington, Esquire, Deputy Treasurer at Shediac,	0 0 4
" " " Dalhousie,		over remitted by him,	
" " " Bathurst,			116,983 2 8
" " " Miramichi,			
" " " Saint Andrews,			
" " " Dalhousie,			
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# STATEMENT OF BALANCES.

Beverley Robinson, Esquire, Province Treasurer, in account for all public balances due by him.

Dr.		Cr.	
To balance due per general account,	20,235 10 2	By amount of bonds for general duties,	0
" " per Casual and Territorial Revenue Fund account,	35,000 0 0	" " received in part of Casual and Territorial	0
" " per Passenger and Emigrant Fund account,	1,218 9 3	Bank of New Brunswick,	0
" " per Bay of Fundy Light House account,	1,373 1 3	Commercial Bank,	0
" " per Sick and Disabled Seamen's Fund account,	497 19 2	Central Bank,	0
		Saint John Bridge Company,	0
		" "	0
		Z " Amount advanced on account of protection of	10
		" " on account of office rent and	11
		" " for pay of John Abrams, Treas-	0
		urant for grant of Session 18	0
		" " for pay of Province Treasurer	8
		" " for pay of H. Whiteside, T.	2
		to 31st December, 1837,	3
		" Amount of cash advanced to Commissioners of	
		Harbor Lights, over the appropriations of	
		" Amount of cash actually on hand,	
	58,324 11 10		58,324 19 10

I, Beverley Robinson, do solemnly swear that the above account, and all the other accounts to which this refer, are just and true, to the best of my knowledge and belief; and that the sum of three thousand six hundred and six pounds, seventeen shillings and three pence is actually on hand in cash, this first day of January, one thousand eight hundred and thirty eight.

Sworn before me, this 13th day of January, 1838.  
JOHN KINNENAR, J. P.

B. ROBINSON, PROVINCE TREASURER.





# CASUAL AND TERRITORIAL REVENUE FUND.

The Casual and Territorial Revenue Fund in Account Current with Beverley Robinson, Esquire, Province Treasurer, from the 27th July to the 31st December, 1837.

Dr.		Cr.	
To amount of cash lent to General Revenues to pay off War-rants, bearing interest at 6 per cent., balance in the hands of B. Robinson, Province Treasurer, in bonds, as stated on credit side of this account,	19,305 10 2	By amount of bonds received from the Provincial Secretary by order of His Excellency the Lieutenant Governor, 27th July, 1837, viz.:—	
	35,000 00	President, Directors and Company of the Bank of New Brunswick, with interest, from 1st January, 1837, due at 3½ per cent, per annum,	10,000 00
		Do. do. Commercial Bank, ditto ditto, at ditto ditto,	10,000 00
		Do. do. Central Bank, ditto ditto, at ditto ditto,	9,000 00
		Saint John Bridge Company, with interest from ditto, at 6 per cent. per annum, secured by the additional bond of R. M. Jarvis, G. D. Robinson, T. L. Nicholson, Charles Hazen, William Hammond, and Peter Besnard,	3,000 00
		Do. do. with ditto, at ditto, secured by the additional bond of J. Robertson, J. Walker, W. H. Street, H. M'Kay, and E. L. Jarvis,	3,000 00
		P " Proceeds of the sale of fifteen thousand pounds sterling of Bills of Exchange, drawn by His Excellency the Lieutenant Governor, in favor of this Accountant, as per account, marked as per margin,	19,305 10 2
	£ 54,305 10 2		£ 54,305 10 2

B. ROBINSON, PROVINCE TREASURER.

Provincial Treasury, Saint John, 1st January, 1838.

# APPENDIX.

Amount of collections, per Report No. 49,	£154	9	0
Less 10 per cent. commission,	15	8	1
Balance in favor of the fund paid over to Province Treasurer, and credited in No. 66,	£139	0	11
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No. 68. Is an account, A. J. Wetmore, Deputy Treasurer, Saint George, with the Province Treasurer, relating to the same fund.			
Amount of collections, per Report No. 51,	£94	8	4
Less, 10 per cent. commission,	9	8	11
Balance in the hands of the Deputy Treasurer, 31st December, 1837,	£84	19	5
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This last balance added to the amount in the hands of the Province Treasurer, as per No. 66, makes the total balance in favor of the Light House fund, on the 31st December, 1837, to be			
	£1,458	0	8
There are no returns from Grand Manan.			
No. 69. Is an account of the Marine Hospital, Saint John, or fund for sick and disabled Seamen, with the Province Treasurer, as follow :—			
Balance in favor of the fund, 31st December, 1836,	£917	4	6
Duties collected at Saint John, per Report No 52,	938	1	2
Receipt from D. Hanington, Deputy Treasurer, Shediac,	1	6	5
Received from William Hanington, late Deputy Treasurer, Shediac, balance of old account,	6	19	3
	£1,863	11	4
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He charges,			
Cash paid Commissioners of Marine Hospital, Saint John, at sundry times, 1837,	£1,360	0	0
Warrant in favor of the Overseers of the Poor, Dorchester,	5	12	2—
	1,365	12	2
Balance in favor of the fund, 31st December, 1837,	£497	19	2
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No. 70. Is an account, James Campbell, Deputy Treasurer, Saint Andrew's, with the same fund, for 1837, as follow :—			
Balance in hand, 31st December, 1836	£90	2	0
Duties collected in 1837, per Report No. 53,	238	2	0
Receipts from Deputy Treasurer, Saint George's,	36	15	9
Ditto ditto ditto West Isles	49	5	9
Collections in Saint Stephen, per Report No. 54, remitted by Deputy Treasurer Watson,	64	8	6
	£478	14	0
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He charges,			
Cash paid Commissioners of Hospital, per receipt,	255	0	0
Balance in favor of the fund, 31st December, 1837,	£223	14	0
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No. 71. Is an account, C. H. Jouett, Deputy Treasurer, West Isles, with the same fund for 1837, as follow :—			
Amount of collections, per Report No. 55,	£57	15	2
Less 10 per cent. commission,	5	15	6
Balance in favor of the fund 31st December, 1837	£51	19	8
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It will be observed by Report No. 70, that the Deputy Treasurer, Saint Andrews, credits £49 5 9 as received during the year on this account, from Deputy Treasurer Jouett ; this however, was the balance in Mr. Jouett's hands on the 31st December, 1836, and consequently the above sum of £51 19 8 remains yet to be accounted for by him.			
No. 72. Is an account, Thomas H. Peters, Miramichi, with the same fund for 1837, as follow :			
Balance in hand 31st December, 1836,	£346	18	2
Collections in 1837, per Report No. 56	409	15	6
	£756	13	8
Carried forward,	£756	13	8

# APPENDIX.

	<i>Brought forward,</i>	£756 13 8
He charges,		
Amount of two warrants paid Commissioners,		647 13 11
Balance in favour of the fund 31st December, 1837,		<u>£108 19 9</u>
No. 73. Is an account, J. W. Weldon, Deputy Treasurer, Richibucto, with the same fund for 1837, as follow :—		
Balance in hand 31st December, 1836		£138 8 6
Collections in 1837, per Report No. 57,		65 2 8
		<u>£203 11 2</u>
He charges,		
10 per cent. commission on collections,	£6 10 3	
Warrant paid by Deputy Treasurer,	99 7 5—	105 17 8
Balance in hand 31st December, 1837,		<u>£97 13 6</u>
No. 74. Is an account, Daniel Hanington, Deputy Treasurer, Shediac, with the same fund for 1837 as follow :—		
Balance in hand,		£0 0 0
Collections made in 1837, per Report No. 58,		1 9 4
Less 10 per cent. commission		<u>2 11</u>
Balance in favor of the fund which he has remitted to the Province Treasurer and is credited in No. 69.		<u>£1 6 5</u>
No. 75. Is an account, Dugald Stewart, Deputy Treasurer, Dalhousie, with the same fund, as follow :—		
Balance of account 31st December, 1836,		£296 5 11
Collections in 1837, per Report No. 59,		103 5 5
		<u>£399 11 4</u>
He charges,		
10 per cent. on collections of 1837,		10 6 6
Balance in the hands of the Deputy Treasurer 31st December, 1837,		<u>£389 4 10</u>
No. 76. Is an account, John Miller, Deputy Treasurer Bathurst, with the same fund, as follow :—		
Balance in hand 31st December, 1836,		£66 0 7
Collections in 1837, per Report No. 60,		58 1 0
		<u>£124 1 7</u>
He charges		
10 per cent. commission on collections 1837,	£5 16 1	
Warrant paid favoring Commissioners,	100 0 0—	105 16 1
Balance in hand 31st December, 1837,		<u>£18 5 6</u>
The Deputy Treasurer brings forward the old balance as £60 0 7, and makes the sum now in his hands £12 5 6. Your Committee have, however, corrected it as above.		
No. 77. Is an account, A. J. Wetmore, Deputy Treasurer, Saint George, with the same fund, as follows :—		
Collections in 1835, 1836 and 1837, as per Report No. 61,		£40 17 4
Less commission 10 per cent.		<u>4 1 7</u>
Balance remaining, which sum the Deputy Treasurer has paid over to Deputy Treasurer Campbell, Saint Andrews, and is credited in his account No. 70.		<u>£36 15 9</u>
There is no return relating to this fund from the Deputy Treasurer, Sackville ; and the Balance in his hands on the 31st December, 1833, consequently remains unaccounted for, it is		
		£1 3 7
No. 78. Is an account, Passenger and Emigrant fund with Beverley Robinson, Esquire, Province Treasurer, for the year 1837, made up as follow :—		

# APPENDIX.

Balance in hand, 31st December, 1836,	£2,322	0	3
Amount collected at Saint John, in 1837, per No. 62,	1,870	15	10
Ditto remitted from Saint Andrews, No. 63,	378	18	4
Ditto ditto Miramichi, No. 64,	23	0	0
Amount in hands of Deputy Treasurer, Bathurst,	16	15	3
Balance of account due from D. Stewart, 31st December, 1836,	20	17	0
	£4,632	6	8
He charges,			
Warrants for the relief of sick and distressed Emigrants, for sums granted since last report, payable out of this fund, to the undermentioned places, viz :—			
Saint John, - - - - -	£1,218	4	9
Ditto ditto, - - - - -	1000	0	0
	£2,218	4	9
Saint Andrews, - - - - -	443	0	0
Ditto - - - - -	300	0	0
	743	0	0
Portland, (County Saint John,) - - - - -	217	19	9
Saint George, (Charlotte,) - - - - -	64	2	6
York, - - - - -	15	9	0
	£3,258	16	0
Warrants in favor of the following parties, to refund excess of duties paid, viz:—			
Robert Clarke, - - - - -	£20	19	2
George Feneran, - - - - -	25	17	6
William M <sup>c</sup> Cannon, - - - - -	32	8	4
E. & J. Wilson, - - - - -	11	17	6
E. Barlow & Sons, - - - - -	26	11	8—
	117	9	2—
	3,376	5	2
Balance in favor of the fund, 31st December, 1837,	£1,256	1	6
Of which there are in the hands of the Province Treasurer,	£1,218	9	3
Ditto ditto ditto John Miller, Bathurst,	16	15	3
Ditto ditto ditto D. Stewart, Dalhousie,	20	17	0—
	1,256	1	6
No. 79. Is an account, John Miller, Deputy Treasurer, Bathurst, with the same fund, as follow:—			
Amount of collections, in 1837, per Report No. 65,	£18	12	6
Less 10 per cent. commission,	1	17	3
Balance in hand, 31st December, 1837.	£16	15	3
No. 80. Is the general account current of Beverley Robinson, Esquire, Province Treasurer, with the Province, for 1837, made up as follow :—			
Balance in favor of the Province, 31st December, 1836,	£28,905	1	2
Ordinary and ad-valorem duties collected at Saint John, in 1837, per Report No. 1,	28,473,	10	7
Auction duties paid, No. 2,	1,774	11	6
Receipts from Officers of Her Majesty's Customs, No. 3,	7,255	16	10
Pedlars licenses, No. 4,	27	10	0
Duties collected on articles sold at Her Majesty's Customs, No. 5,	105	6	2
Premium on sales of Specie, No. 6,	260	5	0
Balance of Cash with the Saint John Saving's Bank,	291	5	0
Sundry unexpended appropriations refunded,	60	16	8
Balance of account due from late Treasurer, received from Administrators,	364	4	2
Received from W. Hanington, late Deputy Treasurer, Shediac, balance of account,	0	16	10
Amount borrowed from Casual and Territorial Revenue fund account,	19,305	10	2
Remittances from Deputy Treasurers, as under:—			
Miramichi, T. H. Peters, - - - - -	£8,147	19	8
Saint Andrews, James Campbell, - - - - -	3,010	0	6
Bathurst, John Miller, - - - - -	2,205	16	3
Dalhousie, D. Steward, - - - - -	1,194	3	6
Richibucto, J. W. Weldon, - - - - -	850	0	0
Fredericton, H. G. Clopper, - - - - -	£320	7	5
Ditto Joseph Beek - - - - -	32	18	9—
	353	6	2
Woodstock, J. Ketchum, - - - - -	348	6	3
Carried forward, £16,109 12 4	£120,110	5	3

# APPENDIX.

	<i>Brought forward,</i>	£16,169	12	4	£86,824	14	1
Saint Stephen, R. Watson,	- - - - -	290	14	4			
West Isles, C. H. Jouett,	- - - - -	152	5	11			
Saint George, A. J. Wetmore,	- - - - -	68	15	0			
Shediac, D. Hanington,	- - - - -	21	8	0	—16,642	15	7
Total,					£103,467	9	8
Against which, he makes the following charges :—							
Amount of Warrants issued prior to year 1837, paid in that year,	£6,588	14	3				
Interest paid on ditto,	4	14	6	—£6,588	8	9	
Amount of Warrants of Series 1837, paid in that year,	74,381	8	3				
Interest on ditto,	608	16	11	—74,990	5	2	
Drawbacks paid per Report No. 7,				1,582	0	0	
Discounts for prompt payment, No. 8,				19	13	1	
Duties refunded, No. 9,				8	6	6	
Bond sent to the Attorney General for collection,				43	6	0	—83,231 19 6
Balance in favor of the Province, per this account,					£20,235	10	2
Of which there are in Bonds,				18,142	15	0	
And in Cash,				2,092	15	2	—20,235 10 2
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No. 61. Is a further account of Beverley Robinson, Esquire, Province Treasurer, shewing the several balances in his hands on the 31st December, 1837, as follow :—							
Balance due the Province, per the foregoing account,					£20,235	10	2
Do. per Casual and Territorial Revenue Fund account,					35,000	0	0
Balance of Bay of Fundy Light House account, per Report No. 66,					1,373	1	3
Do. do. Sick and disabled Seamen's Fund, per Report No. 69,					497	19	2
Do. do. Passenger and Emigrant Fund, No. 78,					1,218	9	3
					£58,324	19	10
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He charges,							
His own Salary for 1837,				£600	0	0	
Paid John Abrams, Tide water, Grant of last winter's Session, warrant not received,				91	5	0	
Office contingencies 1837,				127	12	11	
Over advanced on account Protection Revenue,				96	14	10	
Salary of Treasurer's Clerk from the 9th May to 31st December, 1837, @ £250 per annum,				161	3	8	
Over advanced to Commissioners of Bay of Fundy and Saint John Harbour Lights,				498	11	2	—1,575 7 7
Total balance in favor of the Province, in the hands of the Province Treasurer, 31st December, 1837,					£56,749	12	3
Of which sums there are,							
In Bonds, taken for duties under the ordinary Provincial Revenues,				£18,142	15	0	
And in Cash, same account including Lights, Hospital and Emigrant dues,				3,606	17	3	
Total,				£21,749	12	3	
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The remainder are Securities paid over on the surrender of the Casual and Territorial Revenues, and are as follow :—							
Bank of New Brunswick loan,	£10,000	0	0				
Commercial Bank, do.	10,000	0	0				
Central Bank,	9000	0	0				
Saint John Bridge Company, individual security, as collateral,	6000	0	0	—35,000	0	0	—56,749 12 3

Besides which a loan was made, under the authority of an Act passed the last Session, to the Saint John Water Company of £5000, which has been paid to the Company, and the requisite Securities taken; the Bond however does not appear to have been handed over to the Treasurer; add this to the balance above stated, it will make the sum £61,749 12 3 in the Treasurer's hands, when the Bond is delivered to him.

No. 82. Is an account current, Casual and Territorial Revenue fund, with Beverley Robinson, Esquire, Province Treasurer, from the 27th July, to the 31st December, 1837, made up as follow :—

# APPENDIX.

## Receipts.

Bonds received from the Provincial Secretary on the 27th July, 1837, by order of His Excellency the Lieutenant Governor, viz:—

President, Directors and Company of the Bank of New Brunswick, with interest, from 1st January, 1837, at 3½ per cent. per annum,	£10,000	0	0
Ditto ditto Commercial Bank, ditto,	10,000	0	0
Ditto ditto Central Bank, ditto,	9,000	0	0
Saint John Bridge Company, with interest, from 1st January, 1837, at 6 per cent. secured by the additional bond of R. M. Jarvis, G. D. Robinson, T. L. Nicholson, Charles Hazen, William Hammond, and P. Besnard,	3,000	0	0
Ditto ditto secured by the additional bond of John Robertson, John Walker, W. H. Street, H. M'Kay, and E. L. Jarvis,	3,000	0	0
Proceeds of the sales of £15,000 sterling, Bills of Exchange drawn in London, on account of payments made by the New Brunswick Land Company,	19,305	10	2
	<u>£54,305</u>	<u>10</u>	<u>2</u>

## Charges

Amount of Loan to General Revenues of the Province, credited in No 80,	19,305	10	2
Balance in bonds, in the hands of Province Treasurer, as particularized in No. 81,	<u>£35,000</u>	<u>0</u>	<u>0</u>

These accounts are highly satisfactory to your Committee.

Your Committee are surprised to find, that no payments have been made to the Treasurer, either on account of Receipts by the Casual and Territorial Revenues, since their surrender, or for the balances in the hands of the Receiver General and Commissioner of Crown Lands, before the Civil List Act took effect.

No. 83. Is an account of Beverley Robinson, Esquire, Province Treasurer, for amounts received and expended in 1837, for the protection of the Revenue, as follow:—

Balance in hand unexpended of grant of 1836,	£112	19	10
Amount of grant of last winter's Session,	500	0	0
	<u>£612</u>	<u>19</u>	<u>10</u>

## He charges,

Additional expenditure in 1836, at West Isles, by Deputy Treasurer Jouett,	£16	17	9
Expended in 1837, by the same Officer,	113	18	3
Expended in 1837, by Deputy Treasurer Campbell, Saint Andrews,	220	13	8
R. Watson, for his services at Saint Stephen,	100	0	0
E. Walsh, Tide Waiter, Saint Stephen,	91	5	0
R. Sutherland, do. Saint George,	68	15	0
Thomas Griffiths, do. Saint John,	91	5	0
Extra Tide Waiter at Saint John,	7	0	0—
		<u>709</u>	<u>14 8</u>

Balance overexpended in 1837, charged in supplementary account, No. 81,

£96 14 10

No. 84. Is an account of the Saint John Saving's Bank, with the Province, for the year 1837, as follow:—

Balance of account due the Savings' Bank, 31st December, 1836,	£8,408	13	2
Cash received by the Treasurer, at sundry times, 1837,	1,450	0	0
Interest on debentures, per statement,	517	7	7
	<u>£10,376</u>	<u>0</u>	<u>9</u>

## He charges,

Cash paid sundry debentures,	1,158	15	0
Balance in favor of the Savings Bank, 31st December, 1837, for which a new debenture issued,	<u>£9,217</u>	<u>5</u>	<u>9</u>

No. 85. Is an account Saint John, Savings Bank, with Beverley Robinson, Esquire, Province Treasurer, for the year 1837, as follow:—

Amount paid to Savings Bank for six debentures, with interest, per No. 84,

£1,158 15 0

## He credits,

Amount received, per Report No. 84,

1,450 0 0

Balance received, more than paid, credited by the Treasurer in general account, No. 80,

£291 5 0

# APPENDIX.

No. 86. Is an account of Warrants (issued prior to 1837,) paid by the Province Treasurer in 1837, with interest, charged in general account, No. 80, amounting to £6,588 8 9

No. 87. Is an account of Warrants (Series 1837,) paid by the Province Treasurer in that year, with interest, as charged in his general account current, No. 80, £74,990 5 2

No. 88. Is an account of sums paid into the Treasury, Saint John, by various parties, as under, for appropriations unexpended or balances in hand, viz:—

H. G. Clopper, Grain bounty not called for,	£3 18 6
H. Jackson, by Road appropriation,	9 18 0
James Campbell, do. do.	15 0 0
Hon. C. Simonds, balance of grant on account of Lunatic Asylum,	16 0 0
A. Lyons, balance on Bye Road grant,	0 15 2
Charles Robinson, do. unexpended,	15 5 0

Total amount credited by the Treasurer in his general account current, No. 80, £60 16 8

No. 89. Is a detailed account of the sale of £15,000 sterling, Bills of Exchange, drawn on the Lords Commissioners of Her Majesty's Treasury, on account of payments made by the New Brunswick Land Company, £10,000 sterling, at 15 per cent. premium, and £5,000 at 17½ per cent. premium, amounting in all to £19,305 10 2, which is credited in account, No. 80.

No. 90. Is an account of contingencies at the Treasurer's Office at Saint John, for the year 1837, as per Report No. 81, amounting to £127 12 11

No. 91. Is an account of B. C. Chaloner, Guager and Weigher, at Saint John, for 1837, amounting to £183 17 6

No. 92. Is a list of Bonds remaining in the office of the Province Treasurer, at Saint John, on the 31st December, 1837, corresponding with Report No. 80, amounting to £18,142 15 0

No. 93. Is an account current, James Campbell, Deputy Treasurer, Saint Andrews, with the Province, for the year 1837, as follow:—

Balance of account current, 31st December, 1836,	£2,759 14 9
Cash from the Attorney General,	230 11 10
Specific and ad-valorem duties, per Report No. 11,	3,549 10 10
Receipts for Pedlar's Licenses, No. 12,	12 10 0
Auction duties collected, No. 13,	116 3 2
Received from Rev. Dr. Alley, being amount of Warrant 1836, to R. Salter,	10 0 0
	£6,678 10 7

He charges,

Drawbacks paid, per Report No. 12,	£732 6 0
Bonds sent to Her Majesty's Attorney General,	461 3 7
Remittances to Province Treasurer, No. 80,	3,010 0 6
Salary to Deputy Treasurer,	300 0 0—4,503 10 1

Balance in hand, 31st December, 1837,	£2,175 0 6
Of which there are in Bonds,	1,970 18 4
And in Cash,	204 2 2—2,175 0 6

No. 94. Is a list of Bonds remaining in the hands of the Deputy Treasurer, on the 31st December, 1837, corresponding with preceding account, amounting to £1,970 18 4

No. 95. Is an account of particulars of the expenditure by Deputy Treasurer Campbell, for the protection of the Revenue in 1837, at Saint Andrews, amounting to (paid by Treasurer, per No. 83), £220 13 8

No. 96. Is an account of the same expenditure by Deputy Treasurer Jouett, West Isles, two amounts, as paid him by the Treasurer, per Report No. 83, £130 16 0

No. 97. Is an account of David W. Jack, for gauging and weighing at Saint Andrews in 1837, amounting to £24 2 0

There is no list of Bonds alleged to have been sent to the Attorney General.

No. 98. Is the general account current of Robert Watson, Deputy Treasurer, Saint Stephen, as follow:—

Balance of account 31st December, 1836, £52 14 6

Carried forward,



# APPENDIX.

	<i>Brought forward,</i>	£52 14 10
Sundry collections in 1837, per Report No. 13,		387 14 6
		<u>440 9 4</u>
He charges,		
Remittances to Province Treasurer, credited No. 80.		290 14 4
Balance in the hands of the Deputy Treasurer, 31st December, 1837		<u>£149 14 8</u>
The Deputy Treasurer makes the balance only £142 11 7, but there is a charge of £7 3 1 deducted by the Committee, no authority having been as yet obtained to make the same.		
No. 99. Is an account of Robert Watson, of Saint Stephen, for Guaging and weighing in 1837, amounting to		£1 19 0
No. 100. Is the general account current, C. H. Jouett, Deputy Treasurer, West Isles, with the Province for 1837, as follow :—		
Balance in hand 31st December, 1836,		£110 7 5
Ordinary and ad-valorem duties, per Report No. 14.		47 19 3
		<u>£158 6 8</u>
He charges,		
10 per cent. commission on duties,	£4 15 11	
Remitted Province Treasure, credited in his general account,		
No. 80.	152 5 11	
Error in bringing forward balance,	1 4 10—	158 6 8
No. 101. Is the account of C. H. Jouett, Guager and weigher at West Isles, for 1837, amounting to		£1 18 0
No. 102. Is the general account current, Thomas H. Peters, Miramichi, with the Province for the year 1837, as follow :—		
Balance in favor of the Province, 31st December, 1836,		£5,709 6 8
Ordinary and ad-valorem duties, per Report No. 15,		5,922 8 11
Receipts from Officers of Her Majesty's Customs, No. 16,		1,443 0 8
Auction duties collected, No. 17.		33 3 0
		<u>£13,107 19 3</u>
Total,		
He charges,		
Drawbacks paid, per Report No. 18,	£1,070 2 3	
Discounts for prompt payment, No. 19,	23 19 0	
Salary to Deputy Treasurer,	300 0 0	
Remittances to Treasurer, credited No. 80,	8,147 19 8—	9,542 0 11
		<u>£3,565 18 4</u>
Of which there are in Bonds,	£3,565 9 8	
And in Cash,	0 8 8—	3,565 18 4
No. 103. Is a list of Bonds remaining in the hands of the Deputy Treasurer, Miramichi, on the 31st December, 1837, corresponding with preceding account, and amounting to		£3,565 9 8
No. 104. Is the general account current, J. W. Weldon, Deputy Treasurer, Richibucto, with the Province, for the year 1837, as follow :—		
Balance of account, 31st December, 1836,		£555 18 11
Ordinary and ad-valorem duties,	No. 22,	876 4 5
Auction duties,	No. 23,	2 4 8
Pedlars Licenses,	No. 24,	15 10 0
Receipts from Officers of Her Majesty's Customs,	No. 25,	116 11 3
		<u>£1,566 9 3</u>
He charges,		
10 per cent. commission on collections,	£89 8 0	
Remittances to Treasurer, credited in general account, No. 80,	850 0 0—	939 8 0
Balance in favor of the Province, 31st December, 1837,		<u>£627 1 3</u>
Of which there are in bonds,	£516 6 3	
And in Cash,	110 15 0—	627 1 3

# APPENDIX.

No. 105. Is a list of Bonds remaining in the hands of the Deputy Treasurer, Richibucto, on the 31st December, 1837, agreeing with preceding account, and amounting to £516 6 3

No. 106. Is the general account current of Daniel Hanington, Deputy Treasurer, Shediac, with the Province, for 1837, made up as follow:—

Sundry duties collected, per Report No. 26,			£23 15 1
He charges,			
Commission on Receipts,	£2 7 1		
Remittance to Treasurer, credited, No. 80,	21 8 0—	23 15 1	

No. 107. Is the general account current, A. J. Wetmore, (with the Province,) Deputy Treasurer, Saint George, made up to the 31st December, 1837, as follow:—

Sundry duties collected, per Report No. 21,			£198 7 5
He charges,			
10 per cent. commission,	£19 16 7		
Sundry contingencies of office,	5 17 0		
Remitted Province Treasurer, credited per Report No. 80,	68 15 0—	94 8 7	
Balance in favor of the Province, 31st December, 1837,		£103 18 10	

No. 108. Is the general account current, Dugald Stewart, Deputy Treasurer, Dalhousie, with the Province, for the year 1837, made up as follow:—

Balance of account, 31st December, 1836,			£677 18 10
Ordinary duties, per Report No. 27,			1,497 3 10
Ad-valorem duties, per Report No. 28,			396 3 9
Receipts from Sub-Collector of Customs, No. 29,			162 15 10

Total, £2,734 2 3

He charges,			
Drawbacks paid, per Report No. 30,	£103 1 0		
Discounts for prompt payment, No. 31,	51 10 10		
Deputy Treasurer's commission,	189 6 8		
Remittances to Treasurer, credited in Report No. 80,	1,194 3 6—	1,538 2 0	
Balance in favor of the Province, 31st December, 1837,		£1,196 0 3	
Of which there are in bonds,	530 4 0		
And in Cash,	665 16 3—	1,196 0 3	

Mr. Stewart has brought forward the balance, 31st December, 1836, 10s. less than it should be; the balance therefore, in favor of the Province, 31st December, 1837, is £1,196 10 3

No. 109. Is a list of bonds remaining in the hands of the Deputy Treasurer, Dalhousie, on the 31st December, 1837, corresponding with preceding account, and amounting to £530 4 0

No. 110. Is the general account current, John Miller, Deputy Treasurer, Bathurst, with the Province, in the year 1837, made up as follow:—

Balance of account, 31st December, 1837,			£2,187 13 7
Ordinary duties collected, No. 32,			1,138 7 7
Ad-valorem duties, No. 33,			255 15 5
Receipts from Sub-Collector of Customs, No. 34,			169 18 11
Pedlar's Licences, No. 35,			4 0 0

Total, £3,755 15 6

He charges,			
Drawbacks paid per Report, No. 36.	£48 12 0		
Discounts for prompt payment, No. 37.	7 3 4		
Commissions 10 per cent. on collections,	139 16 0		
Remittances to Province Treasurer, credited in general account No. 80.	2,205 16 3		
Premium paid on drafts remitted,	9 6 7—	2,410 14 2	
Balance in favor of the Province, 31st December, 1837,		£1,345 1 4	
Of which, there are in Bonds,	1325 16 4		
And in Cash,	19 0 5—	1,345 1 4	

No. 111. Is a list of Bonds remaining in the hands of the Deputy Treasurer, Bathurst, on the 31st December, 1837, agreeing with foregoing account, and amounting to, £1,325 16 4

## APPENDIX.

No. 112. Is the account current, Bill Chappell, Deputy Treasurer, Bay Verte, with the Province, for 1837, as follow :—

Ordinary duties collected, per Report No. 38.	£4 7 6
Off commission 10 per cent.	8 9
	<hr/>
Balance in favor of the Province, 31st December, 1837,	£3 18 9
	<hr/>

This balance Mr. Chappell states as having been remitted to the Province Treasurer, on the 1st December, 1837; no credit, however, appears in the Treasurer's account, and therefore Mr. C. stands charged with it.

No. 113. Is the account current, H. G. Clopper, late Deputy Treasurer at Fredericton, with the Province, to the 1st July, 1837, as follow :—

Ad-valorem duties collected, per Report No. 39,	£10 0 7
Duty on Foreign Horses, No. 40,	32 10 0
Auction duties, No. 41,	313 8 10
	<hr/>
	£355 19 5

He charges,		
10 per cent. commission,	£35 12 0	
Remittances to Province Treasurer, credited in No. 80.	320 7 5—	355 19 5
		<hr/>

No. 114. Is the account current, Joseph Beek, Deputy Treasurer Fredericton with the Province from the 1st July, to the 31st December, 1837, as follow :—

Auction duties collected per Report No. 42,	£34 1 10
Pedlar's Licence, No. 43,	2 10 0
	<hr/>
	£36 11 10

He charges,		
10 per cent commission,	£3 13 1	
Remittance to Province Treasurer, credited in account No. 80,	32 18 9—	83 11 10
		<hr/>

No. 115. Is the account current, James Ketchum, Deputy Treasurer, Woodstock, with the Province for the year 1837, as follow :—

Balance due from Deputy Treasurer, 31st December, 1836,	£4 7 5
Sundry receipts in 1837, per Report No. 44, 45, and 46,	394 1 11
	<hr/>
	398 9 4

He charges,		
10 per cent. commission on Provincial duties,	£28 0 8	
Remittances to Province Treasurer, credited in Report No. 80.	348 16 3—	376 16 11
		<hr/>

Balance in favor of the Province, 31st December, 1837,	£21 12 5
	<hr/>

The Deputy Treasurer in stating this amount makes the balance in his hands to be only £3 12 8. This arises from his having erroneously charged in the years 1836 and 1837, a commission of 10 per cent. on the Parliamentary duties paid over to him in these years. Your Committee have corrected this error, and the balance stands as above, £21 12 5.

Besides the accounts reported upon, the following have been received, shewing monies collected and disposed of under the Buoy and Beacon Acts :—

T. H. Peters, Miramichi, shewing receipts in 1837, £113 16 2, on which he charges commission £11 7 6, and payments to Commissioners, £102 4 0,—balance in hand 4s. 8d. The old balance of £87 12 2, reported in hand 31st December, 1837, remains to be accounted for.

J. W. Weldon, Richibucto, receipts in 1837, nett £61 5 8, old balance £41 14 4—making £103, out which he has paid the Commissioners £83 14 4, leaving a balance in hand, 31st December, 1837, £19 5 8

Dugald Stewart, Dalhousie, balance of account, 31st December, 1836, £39 10 10, receipts in 1837, nett £47 1 5,—in all £86 12 3. He charges £39 10 10 paid over to Commissioners, leaving a balance in his hands of £47 1 5. The balance in the hands of the Officers, on the 31st December, 1835, £171 12 2, is still unaccounted for, which must be added to the account reported at this time.

Your Committee having finished the report upon the several accounts and statements submitted to them, have now to recapitulate the balances which appear to be due the Province, and to particularize the Officers who held the Money and Bonds on the 31st December, 1837. They are as follow :—

# APPENDIX.

Beverley Robinson, Esquire, Province Treasurer,					
Balance of account, No. 80,	£20,235	10	2		
Balance of Light House account, No. 66.	1,373	1	3		
Do. sick and disabled Seamen's account, No. 69,	497	19	2		
Do. Passenger and Emigrant account, No. 78,	1,218	9	3	£23,324	19 10
<hr/>					
James Campbell, Deputy Treasurer, Saint Andrews,					
Balance of account, No. 83,	£2,175	0	6		
Balance of sick and disabled Seamen's fund, No. 70,	223	14	0	2,398	14 6
<hr/>					
Robert Watson, Deputy Treasurer, Saint Stephen, balance, No. 98,				149	14 8
<hr/>					
C. H. Jouett, Deputy Treasurer, West Isles, balance of sick and disabled Seamen's fund, No. 71,				51	19 8
<hr/>					
Thomas H. Peters, Deputy Treasurer, Miramichi,					
Balance of account current, No. 102,	£3,565	18	4		
Balance of Seamen's fund, No. 72,	108	19	9	3,674	18 1
<hr/>					
John W. Weldon, Deputy Treasurer, Richibucto,					
Balance of account current, No. 104,	£627	1	3		
Balance of Seaman's fund, No. 73,	97	13	6		
Balance of Emigrant fund, 31st December, 1836,	3	15	0	728	9 9
<hr/>					
A. J. Wetmore, Deputy Treasurer, Saint George,					
Balance of account current, No. 107,	£103	18	10		
Balance of Light House fund, No. 68,	84	19	5	188	18 3
<hr/>					
Dugald Stewart, Deputy Treasurer, Dalhousie,					
Balance of account current, No. 108,	£1,196	10	3		
Balance of Seamen's fund, No. 75,	389	4	10		
Balance of Emigrant fund, 31st December, 1836,	20	17	0	1,606	12 1
<hr/>					
John Miller, Deputy Treasurer, Bathurst,					
Balance of account current, No. 110,	£1,345	1	4		
Balance of Seamen's fund, No. 76,	18	5	6		
Balance of Emigrant fund, No. 79,	16	15	3	1,380	2 1
<hr/>					
Bill Chappell, Deputy Treasurer, Bay Verte, No. 112, balance,				3	18 9
James Ketchum, Deputy Treasurer, Woodstock, No. 115, balance,				21	12 5
M. Backhouse, Deputy Treasurer, Sackville, balance of old account,				1	3 7
Total balance in favor of the Province,				£33,531	3 8
<hr/>					
Exclusively of bonds in the hands of the Attorney General for collection.					
No notice is taken in the above recapitulation of balances of the bonds handed over to the Treasurer, by command of His Excellency, taken for loans from the Casual and Territorial Revenues, previously to their being surrendered to the Province—they amount to £35,000, and are particularized in Report No. 82. Besides which, the loan to the Saint John Water Company, of £5,000, must also be added, making £40,000 additional.					
Of the Warrants, £81,578 13 11, paid by the Treasurer in 1837, the objects may be classed under the following heads:—					
EDUCATION,	{ Parish Schools,	£8,260	0	0	
	{ Grammar Schools,	1,050	0	0	
	{ Madras Schools,	500	0	0	
	{ College,	1,100	0	0	£10,910 0 0
<hr/>					
BOUNTIES,	{ Oatmills,	£125	0	0	
	{ Destruction of Bears,	305	15	0	430 15 0
<hr/>					
Improvement of Roads and Navigation of Rivers.	{ Great Roads,	£16,040	0	0	
	{ Bye Roads and Bridges,	14,710	0	0	
	{ Rivers,	807	0	0	31,557 0 0
<hr/>					
Expenses of the Legislature,				9,398	3 7
Militia,				1,287	17 3
Apprehension of Deserters,				35	0 0
Public Buildings,				1,722	17 6
Packets and Couriers,				205	0 0
Carried forward,				£55,546	13 4

# APPENDIX.

	<i>Brought forward,</i>	<i>£55,546 13 4</i>
Law Expences, - - - - -	- - - - -	1,162 2 6
Province Agent, - - - - -	- - - - -	250 0 0
Charitable purposes, - - - - -	- - - - -	4,653 1 6
Commutation of Quit Rents, - - - - -	- - - - -	1,200 0 0
Protection of the Revenue, - - - - -	- - - - -	2,368 4 11
Interest on Loan and Warrants, - - - - -	- - - - -	1,213 11 5
Return of Duties, - - - - -	- - - - -	2,741 9 6
Loan to Saint John Water Company, - - - - -	- - - - -	5,000 0 0
Payment of Civil List, - - - - -	- - - - -	3,331 16 2
Miscellaneous Services, - - - - -	- - - - -	4,111 14 7
Total,		<i>£81,578 13 11</i>

The following are the articles which have produced the Ordinary Duties imposed by the General Assembly, and the Ports at which they have been collected or secured :—

## RUM, GIN AND WHISKEY.

Subject to 1s. 6d. per Gallon duty.		
At Saint John,	152,959 Gals.	
Off, exported,	12,645—140,314	
Saint Andrews,	35,318	
Off, exported,	9,680— 25,638	
Miramichi,	46,990	
Off, exported,	14,525— 32,465	
Richibucto,	8,719	
Dalhousie,	15,039	
Off, exported,	572— 14,467	
Bathurst,	11,982	
Off, exported	429— 11,553	
Shediac,	205	
Total,	233,361 Gals. at 1s. 6d.	<i>£17,502 1 6</i>

## BRANDY.

At Saint John,	37,783	
Off, exported,	2,508— 35,275	
Saint Andrews,	262	
Miramichi,	4,309	
Richibucto,	186	
Dalhousie,	1,479	
Bathurst,	1,186	
Total,	42,697 Gals. at 2s.	<i>£4,269 14 0</i>

## WINE.

At Saint John,	31796 Gals.	
Off, exported,	2,692—29,108	
At Saint John,	768	<i>a 3s. £115 4 0</i>
Saint Andrews,	2,179	
Do.	21	<i>a 3s. 3 3 0</i>
Miramichi,	3,134	
Do.	134	<i>a 3s. 20 2 0</i>
Richibucto,	153	
Dalhousie,	655	
Bathurst,	95	
Shediac,	25	
Ad-valorem duties <i>a 25 per cent.</i>	35,349 <i>a 9d.</i> }	<i>2,710 18 3</i>
Total,		<i>£2,849 7 7</i>

## APPENDIX.

There has been a falling off in the importation of Wine, of upwards of 900 Gallons. Your Committee are of opinion that a great quantity must have been illicitly introduced.

### MOLASSES.

At Saint John,	205,112 Gals.				
Off, exported,	3,807—201,305				
Saint Andrews,	40,982				
Off, exported,	1,440—39,542				
Miramichi,	39,934				
Richibucto,	12,262				
West Isles,	4,710				
Dalhousie,	12,747				
Bathurst,	13,378				
Shediac,	377				
Bay Verte,	60				
		Gals.	324,315	a 1d.	<u>£1,351 6 3</u>

### BROWN SUGAR.

At Saint John,	10,298 Cwts.				
Off, exported,	166—10,132				
Saint Andrews,	1,720				
Miramichi,	1,540				
West Isles,	119				
Richibucto,	287				
Dalhousie,	218				
Bathurst,	303				
Shediac,	11				
Bay Verte,	33				
		Cwts.	14,363		<u>£1,795 7 6</u>

The duties on British Merchandize have produced upwards of £7,000. Those on Coffee, dried Fruits and Loaf Sugar, upwards of £2,000. The rest arises from duties on miscellaneous items, and from importations at the Custom House, under Acts of the Imperial Parliament. The Custom House accounts not being before the House, Your Committee are unable to go into detail with regard to the Parliamentary duties.

Respectfully submitted.

<p>J. R. PARTELOW, D. HANINGTON, I. WOODWARD, HENRY T. PARTELOW, THOMAS BARLOW, PETER STEWART, THOMAS WYER, JAMES TAYLOR,</p>	}	Committee.
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*Committee Room, 5th February, 1838.*

## REPORT ON LIGHT HOUSE MATTERS.

**M**R. PARTELOW, Chairman of the Committee of Public and Private Accounts, reports, that they have had the following accounts under examination.

No. 1. Is the account of John Ward, R. W. Crookshank, John Ward, Junior, Thomas Barlow, and L. Donaldson, Commissioners of Light Houses for the Bay of Fundy, as follows:—

Balance of account due Commissioners, as audited 13th February, 1837,	£272	8	6
Quaco Light, contingent expenses,		33	10 2
Beacon Light, “ “		27	15 5
Partridge Island, “ “		27	9 4
Point Leproe, “ “		32	10 5

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*Carried forward,* £393 13 10

# APPENDIX.

	<i>Brought forward,</i>	£393 13 10
Gannet Rock, contingent expenses,		158 8 7
Oil, iron tanks, cotton wick, &c. &c.		703 12 3
Salaries paid, viz.:—Keeper of Gannet Rock,	£165 0 0	
“ Point Leproe,	100 0 0	
“ Quaco,	100 0 0	
“ Partridge Island,	100 0 0	
“ Beacon,	94 15 6	
		559 15 6
Nova Scotia Lights:—Brier Island,	£100 0 0	
Seal Island,	200 0 0	
Extra allowance,	18 14 1	
		318 14 1
		£2,133 4 3
Commission 5 per cent. on contingent expenses, oil, &c. £1,002 2s. 3d.,		50 2 0
Paid L. Donaldson, as Surveyor of Light Houses,		50 0 0
		£2,234 6 3
Cr.		
By amount received at sundry times from Province Treasurer,	£2,263 11 2	
J. T. Hanford, proceeds of old oil, &c.	17 0 6	
Proceeds of oil casks,	1 3 3	
		2,281 14 11
Balance in favor of the Province,		£47 8 8
This account is signed by R. W. Crookshank, John Ward, Junior, and L. Donaldson, three of the Commissioners, and is sworn to by them.		
No. 2. Is the account of the Commissioners of Head Harbour, Machias Seal Island and Saint Andrews Harbour Lights, with the Province, as follows:—		
Balance in favor of the Commissioners in account last Session,	£51 6 11	
Less this sum disallowed as an overcharge of commission by		
Mr. Campbell,	25 0 0	£26 6 11
Oil and other contingencies for buildings in 1837,		414 7 11
Commission 5 per cent.,		20 14 4
Salaries for the Keepers in 1837, as follow:—		
Campo Bello Light House,	£120 0 0	
Machias Seal Island,	130 0 0	
Saint Andrews Harbour,	30 0 0	280 0 0
		£741 9 2
They credit,		
Amount of two warrants received from Treasurer,	£780 0 0	
Sales of a barrel damaged pork and an empty oil cask,	2 5 0	782 5 0
Balance in favor of the Province,		£40 15 10
This account is signed by the Honorable James Allanshaw, Thomas Wyer and James Campbell, the three Commissioners, and is sworn to by them.		
No. 3. Is an account of expenses incurred in 1837 and part of 1838, in support of the establishment on Saint Paul's Island for the relief of shipwrecked Mariners, viz.:—		
Amount of expenses for provisions, &c.		£88 4 9
Salary of two persons resident on the island, terminating 12th and 20th July, 1838, at £60,		120 0 0
		£208 4 9
Cr.		
By nett proceeds of provisions returned from the island,		54 3 0
Balance,		£154 1 9

## APPENDIX.

This account is signed by the Honorable J. Cunard and William Abrams, two of the Commissioners, but it is not sworn to. Vouchers for the expenses, £88 4s. 9d. are produced, but for the salaries there are no receipts, as they will not be payable until July next.

Respectfully submitted.

J. R. PARTELOW, *Chairman.*

*Committee Room, 19th February, 1838.*

### REPORT ON GREAT ROADS, &c.

**T**WELVE Hundred Pounds. Second year's commutation of Quit Rents. Warrant issued in favor of the Honorable William F. Odell. Amount to be applied as follows:—

£224 5s. for building a Bridge over Phillis' Creek, and the Road leading to the same. This has been done, and the amount paid to H. J. Hansard, for which his receipts are produced.

The remainder to be applied towards opening a Road from Fredericton to Petitcodiac.

Mr. Hansard was appointed a Supervisor to conduct this expenditure. A tender having been received from David Mills to open the Road 14 feet wide, and to remove all the trees, roots, stumps, stones, and brush therefrom, and to be so levelled as to make it passable for sleds and sleighs in winter—distance 50 miles, at £17 10s. per mile. On account of this contract Mr. Mills has received £700, but as the work has not been performed to the satisfaction of the Supervisor, the remaining sum, £175, (making £875, the amount of contract,) is in the hands of Mr. Odell, until a further inspection takes place, and the work completed according to contract. The Supervisor has been paid £50 on account of his services. When the work is completed, the account will stand thus:—

Amount of Warrant,	£1,200 0 0
Deduct,	
Phillis' Creek Bridge, &c.	£224 5 0
50 miles Road, at £17 10s.,	875 0 0
Supervisor's commission,	87 10 0—1,186 15 0
Balance in hand,	£13 5 0

At present the amount to be accounted for, which is in the hands of Mr. Odell is £225 15s. A report from Mr. Odell and also one from Mr. Hansard accompany this account.

#### DUDLEY PERLEY, Supervisor.

Grants 1837, £900. Shediack to Richibucto.  
 400. Richibucto to Chatham.  
 200. Shediack to Bend of Peticodiac.  
 175. Dorchester to Shediack.

Expenditure £869 13s. 4d. besides £250 paid by Supervisor £1675. to William Hanington, Junior, on account of his contract for Buctouche River Bridge, in all £1,119 13s. 4d. On this sum the Supervisor has charged his commission 10 per cent., £111 19s. 4d., which makes the total amount £1,231 12s. 8d. He credits £1,675 amount of grants, and unexpended balance of last year, £659 19s. 10d., making £2,334 19s. 10d., and leaving a balance in favor of the Province of £1,103 7s. 6d. From this sum he has become responsible to pay William Hanington, Junior, the balance which will be due on his contract when the Buctouche Bridge is completed, £800. A copy of the contract for this Bridge accompanies the accounts, by which it appears that it was to have been finished by the 10th November, but owing to unforeseen difficulties, which the Supervisor explains in his report, it was not accomplished. The requisite vouchers, with the exception of one for £10 19s. are produced for the expenditure, and the proper affidavit is also attached. The Supervisor has short extended 20s. in one of his charges.

The account when corrected will stand thus:—

Balance



# APPENDIX.

Balance in favor of the Province as above,	£1,103	7	6
Voucher for £10 19s. not produced, and commission 10 per cent.	12	0	10

£1,115	8	4
1	2	0

Off, short extended, 20s. Commission, 2s.

Balance in favor of the Province,	£1,114	6	4
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It would have been much more satisfactory if each account of expenditure was kept by itself, and credit given in separate accounts for the grants on each distinct road. The grants, however, appear to have been properly applied.

GEORGE ANDERSON, Supervisor.

Grant 1837, £1,250. Saint John to Saint Andrews.

Expenditure, including commission on grant, £1,035 14s. 3d. Balance due per account last year, £213 3s. 7d., making in all £1,248 17s. 10d. Credit is given for the grant £1,250, leaving a balance in favor of the Province of £1 2s. 2d. This account is supported by the requisite vouchers and an affidavit. Vouchers are produced also to support the charge of £32 6s. for payments made to Casson, Green and Atcheson, which were wanting, per report last audit. Satisfactory.

JOSEPH READ, *Supervisor of part of the Road between Newcastle and Restigouche.*

Grants 1837, £600. For the Road between Forein's and Bathurst.

100. Between Tattagouche Bridge and Little Roche.

50. Bridge over Armstrong's Brook.

30. For the approaches thereto.

300. Bridge over Ferguson's Mill Stream.

400. For Bridge on Eel River.

20. For the Road near Attigan's Brook.

50. Bridge at William Fleming's.

500. Road between Campbelltown and Dalhousie.

Expenditure, £1,826 19s. 1d. Balance due last year £83 4s. 6d. £2,050. and commission on grants (less old balance), £196 13s. 6d., in all £2,106 17s. 1d. Credit is given for the grants, £2,050, leaving a balance due the Supervisor of £56 17s. 1d. These accounts are supported by the requisite vouchers and an affidavit, and are satisfactory.

SYLVESTER Z. EARLE, AZOR HOYT, and EDWIN FAIRWEATHER, Commissioners.

Part of Grant, 1837. £250, Towards the erection of the Bridge over Hampton Ferry on the Great Road leading from Saint John to the Nova Scotia line.

Expended in purchasing Timber and in workmanship, £211 6s. 11d. Balance to be accounted for, £38 13s. 1d. No commission charged. This account is supported by the requisite vouchers and an affidavit, and is satisfactory.

**GREAT ROAD SAINT JOHN TO THE NOVA SCOTIA LINE—Honorable E. BOTSFORD, late Supervisor.**

Amount expended, contracted for in 1836, £94 4s. 7d.; add to which balance due the Supervisor, per audit 1837 (see Appendix to Journals, No. 8, for the several expenditures on Roads for which he was then Supervisor), £81 18s. 10d., making £176 3s. 5d. now due him. This account is supported by the requisite vouchers and an affidavit, and is satisfactory.

**CONTEMPLATED GREAT ROAD FROM WOODSTOCK TO THE HEAD OF OAK BAY IN THE COUNTY OF CHARLOTTE.**

JOHN WILKINSON, Commissioner, appointed to explore and mark out a line for said Road.

He submits an account of his expenses, which are as follow :—

113 days personal services as Surveyor, at 20s.	£113	0	0
Plan and report,	35	0	0
Men's wages, provisions, and incidental expenses,	162	9	10

Carried forward, £310 9 10

## APPENDIX.

	Brought forward, £310 9 10
He credits grant of last winter's Session for this service,	200 0 0

Due Commissioner,	£110 9 10
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He states that some provisions remain on hand of the value of £8 and upwards, which are at the house of Mr. J. Paterson, opposite Howard Settlement. In the above 113 days services three Sundays are included. The charge for the plan and report is higher than usual.

### ***RICHIBUCTO TO CHATHAM—ALEX. GOODFELLOW, late Supervisor.***

Expenditure, £82 10s., £65 of which expended in erecting a new Bridge across Blanchard's Creek, contracted for in 1836. Credit is given for the balance in the hands of the Supervisor last year, £6 15s. 3d., which leaves the amount now due him to be provided for, £75 14s. 9d.

### ***FREDERICTON TO NEWCASTLE—DAVID CROCKER, one of the Supervisors.***

Part of Grant 1837, £1,750.  
Expenditure, £1,088 13s. 1d. Balance due last year, on which no commission was then allowed, £454 14s. 10d. Due for explorations (see report last year), £52 15s., and commission on £1,697 5s. (amount of grant, less the last sum of £52 15s.) £169 14s. 6d., making in all £1,765 17s. 5d., and leaving a balance in favor of the Supervisor of £15 17s. 5d. This account is supported by the requisite vouchers, an affidavit is attached to it, and it is satisfactory.

Respectfully submitted.

J. R. PARTELOW, *Chairman.*

*Committee Room, 20th February, 1838.*

## **REPORT ON BYE ROADS.**

### — **SAINT JOHN.**

RICHARD CALVERT, Commissioner.

Grant 1837, £20. Road from Little River to Black River. Expenditure, £20. Satisfactory.

ARCHIBALD MENZIES, Commissioner.

Grants 1837, £20. Road from Dipper Harbor School House to the Saint Andrews Road.  
 20. Road from the Narrows of the Musquash River to “ “  
 15. Road from Black Beach to Pisirinco.  
 8. Road from Pisirinco to Cole's Mill.  
 10. Road from Sand Cove to the Main Road.  
 20. Road from Craft's Mill to the Irish Settlement.  
 10. To open a Road from Frenchman's Creek to the Main Road leading  
 — from Saint Andrews to Saint John.  
 £103. Expenditure, £103. Satisfactory.

JAMES BROWN, Commissioner.

Grant 1837, £30. For the new Road opened by Brown and others, past Brown's Mill, and thence to ten mile Creek.

Expenditure, £40 9s. Amount over expended, £10 9s.

ANDREW MILLICAN, Commissioner.

Grant 1837, £10. Road from the Millican Settlement to the County line, near Smith's Saw Mill. Expenditure, £10. Satisfactory.

ANDREW MILLICAN, Commissioner.

Grant 1837, £25. Road from the Millican Settlement to the Hammond River, near Tabor's.

Expenditure, £25. Vouchers to the amount of £15 14s. unsatisfactory for the want of witnesses to the acknowledgments of parties who could not sign their names.

## APPENDIX.

JAMES MILLICAN, Commissioner.

Grants 1837, £41 5. Road from Johnston's on the Quaco Road through the Ryan Settlement to the new Shepody Road.  
 15 0. Road from the Quaco Road to Tynemouth.  
 20 0. Road from East Quaco Creek to Melvin's Beach.  
 ——— Expenditure, £93 13s. 5d. Due Commissioner, £17 8s. 5d.  
 £76 5. Satisfactory.

R. F. HAZEN and R. CALVERT, Commissioners.

They were required to expend £9 16s. 6d. supposed to be in their hands, by an order of the 28th February, 1837. See Journals. The Commissioners had however at the time laid out the money, and rendered their accounts, and £5 3s. 6d., which is now actually due them. The Chairman had overlooked this when the report referred to was submitted to the House.

JAMES JONES, Commissioner.

Grant 1837, £20. Road from the Parish line near Jones and Smith's to the Road leading past Cother's and Brand's Farm.

Expenditure, £21 0s. 4d. Due Commissioner, 20s. 4d. Voucher for £3 7s. unsatisfactory for the want of a witness to the acknowledgment of a person who could not sign his name.

THOMAS DEWAR, Commissioner.

Grants 1837, £30. Road from the Forks at the Black Settlement near Cody's, to Emerson's Creek.

10. Road from Black River to Emerson's Creek.

10. Road from Emerson's Creek to Gardner's Creek.

——— Vouchers not sufficiently explicit as to the manner in which the £50. work was done, or how it was let. Unsatisfactory also for want of affidavit.

SIMON FRASER, Commissioner.

Grants 1837, £15. Road from the Forks near M'Brittany's to ten mile Creek.

10. Road from Gardner's Creek to the Road leading to ten mile Creek.

——— Expenditure, £24 18s. Vouchers not sufficiently explicit as to £25. manner in which the work was performed. The account is sworn to.

JOHN GILLIES, Commissioner.

He was required by an order of the House of the 28th February, 1837, to produce an affidavit of the expenditure of £45. This has been accordingly done.

JAMES MORAN, Commissioner.

Grant 1836, £15. For the bridle or foot path along the Bay Shore at Tuft's to Martin's Head.

Expenditure, £15. No commission charged. Unsatisfactory for want of affidavit.

EDWARD MARTER, Commissioner.

Balance of Grants 1836, £115 1 6. The Commissioner has produced satisfactory vouchers and an affidavit showing this expenditure.

WILLIAM GEORGE CODY, Commissioner.

The Commissioner was required by a Resolution of the House of the 28th February, 1837, to account for £55 in his hands for the improvement of Bye Roads. Satisfactory vouchers and an affidavit are now produced accounting for the expenditure of the said amount.

WILLIAM G. CODY and JOHN JORDAN, Commissioners.

The Commissioners were directed by a Resolution of the House of the 28th February, 1837, to account for £50 6s. 3d. granted for the improvement of Bye Roads. They now produce satisfactory vouchers, supported by an affidavit, accounting for the expenditure.

CARLETON.

## APPENDIX.

### CARLETON.

JAMES SHARP, Commissioner.

Balance of 1837, £19 16 11.

Vouchers wanting, 21 19 6. Vouchers and an affidavit are now produced to support the expenditure of this sum.

£41 16 5.

WALTER HAY, Commissioner.

Grant 1837, £15. Road from the River Saint John to Thomas Edward's in a back Settlement. Expenditure, £15. Satisfactory.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £25. Road from Mrs. Hand's to William Wilson's. Expenditure, £25. Satisfactory.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £12. Road from Thomas Pomphrey's to a back Settlement.

Expenditure, £12. Vouchers unsatisfactory for want of witnesses to parties who could not sign their names.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £10. Road from O'Connor's Creek to a back Settlement, called Coxtown.

Expenditure, £7 5s. Due the Province, £2 15s.; which is contracted for, but not completed.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £10. From the Bridge on Little Presqu' Isle to Bridges'.

Expenditure, £10. Satisfactory.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £30. Road from Jacob Estabrooks to the Bridge on the Little Presqu' Isle.

Expenditure, £26. Balance in hand, £4; which is contracted for, but not completed. Satisfactory.

WILLIAM M'DONALD, Commissioner.

Grants 1836, £10. Road from Thomas Gee's to a back Settlement.

1837, 12. Expenditure, £22. Vouchers to the amount of £15 19s. 5d. of ——— this expenditure unsatisfactory for want of witnesses to the acknowledgment of parties who could not write.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £20. Road from Tobique to Salmon River. Expenditure, £20. Satisfactory.

WILLIAM M'DONALD, Commissioner.

Grants 1836, £20. To improve the Road from M'Cain's at the White Marsh to the

1837, 40. Greenfield Settlement.

Expenditure, £52 18s. 7d. Voucher for 60s. incomplete for £60. want of a witness. Due the Province when that voucher is made satisfactory, £7 1s. 5d.

WILLIAM M'DONALD, Commissioner.

Grants 1836, £15. Road leading from Boyer's Mill, Wakefield, to the rear of the Great

1837, 30. Presqu' Isle Settlement.

Expenditure, £39 7s. 5d. Due the Province, £5 12s. 7d. £45. which is in the course of being laid out. The grant of 1836 appears to have been £25 instead of £15. The difference also remains to be accounted for.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £12. Road from the River to John Wright's Farm in a back Settlement.

Expenditure, £12. Vouchers for £7 1s. 4d. unsatisfactory for the want of a witness to the acknowledgment of a person who it appears made his mark only.

WILLIAM

## APPENDIX.

WILLIAM M'DONALD, Commissioner.

Grant 1837, £30. Road from Kelly's Creek to Sharp's Farm in the Parish of Kent.

Expenditure, £30. Voucher for £18 12s. unsatisfactory for the same reason as the last.

GEORGE MOREHOUSE, Commissioner.

£20. Bye Road Grant unaccounted for. See Journal 28th February last.

The Commissioner has now produced vouchers and an affidavit shewing this expenditure.

WILLIAM W. EMSLIE, Commissioner.

Grants 1837, £55. Bridge on the Monquat Creek.

20. Bridge on the upper Shiektahauk.

— Expenditure, £92 3s. Credit is given for the amount of the two £75. Grants, and £8 12s. 6d. individual subscription towards the first mentioned Bridge. Balance in favor of Commissioner, £8 10s. 6d. It appears by the account that the contract for the Monquat Bridge was £63 19s., and a receipt is produced for £7 3s. 11d., being the balance of contract, and also receipts for the two first payments. Intermediate vouchers for £25 15s. 10d. are wanting.

## CHARLOTTE.

JOHN M'KENZIE, Commissioner.

Grants 1837, £25. Road from Symonds' to Sprague's Falls.

30. Road from Mill Town to the Little Ridge, Saint James.

20. Road from Joel Hill's to the Moannes Settlement.

10. Road from Rufus Ham's to M'Kay's Mill.

— Expenditure, £85, supported by vouchers and an affidavit. No £85. particulars as to the manner in which the work was performed—whether by the day or let by auction—or the rate per rod.

ROBERT THOMSON, Commissioner.

Grants 1837, £15. Road from M'Kay's to M'Dowell's.

30. For improving the Road at Fitzpatrick's hill.

40. Road on eastern side of Lake Utopia.

10. Road from the Scotch Settlement to James Murphy's.

20. Road from the head of the Basin, Magaguadavic, to Andrew Bullock's.

£115. Expenditure, £115. Satisfactory.

JAMES CONNICK, Commissioner.

Grants 1837, £41. Road from the head of Oak Bay to M'Laughlin's corner.

20. Road from William Hitchings to James Lane's.

— Expenditure, £58 7s. 5d. Balance due the Province, £2 12s.

£61. 7d. Satisfactory.

JOHN NISBITT, Commissioner.

Grants 1837, £20. Road from M'Laughlin's corner, Saint David's, to Sharman's.

10. Road from William Smith's to Tower's Corner.

10. Road from John Wilson's, Junior, to the Main Road in Saint David.

15. Road from Nisbitt's to Simmons'.

— Expenditure, £51 15s. 3d. Due the Province, £3 4s. 9d. One £55. of the vouchers, £6 4s. 6d. irregular, in consequence of there being no witness to it, the party performing the work not having written his name.

WILLIAM FITZWILLIAM OWEN, Commissioner.

Grants 1837, £30. Road from Welch Pool to Curry's Cove at Wilson's Beach, Campo Bello.

20. Road from Curry's Cove to Todd's Barn.

— Expenditure, £50 4s. 7d. Due Commissioner, 4s. 7d. Work principally performed by the day. No affidavit attached. Unsatisfactory.

ROBERT

## APPENDIX.

ROBERT LINDSAY, Commissioner.

Grant 1837, £61 13 4. Road from the Long Bridge to the Saint David's line.  
Expenditure, £61 13s. 4d. Satisfactory.

ALBERT G. FOSTER, Commissioner.

Grants 1837, £20. To build Causeways on the Road from Dunham's in Saint David's, to Foster's Mills, Saint James'.

10. Road from Foster's Mill, Saint James', towards the Saint David's line.  
£30. Expenditure, £30. Satisfactory.

THOMAS FRASER, Commissioner.

Grants 1837, £20. Road from the Kirk through the Basswood Ridge to Oak Hill.

20. Road from Peake's to the Baillie Settlement.  
20. Road from Oak Hill to the Lynnfield Settlement.  
15. Road from the new Episcopal Church to Oak Hill.

£75. Expenditure, £75. Satisfactory.

DONALD D. MORRISON, Commissioner.

£12 10 0. Amount unexpended and unaccounted for. See Journal 28th February,  
4 13 6. 1837. The Commissioner has produced vouchers, supported by his  
own affidavit, accounting for this amount.  
£17 3 6.

WILLIAM SMART, Commissioner in Charlotte County, has furnished the affidavit required by the order of the House of the 28th February last. See Journal.

WILFORD FISHER, Commissioner.

Grants 1837, £30. Road from the School House, Grand Harbor, to Mark Doggett's, Grand Manan.

50. Road from Nathaniel Guptail's to Widow Young's, Seal Cove, Grand Manan.

45. Road leading from Winchester's corner to Abner Bingham's.

£125. Expenditure, £125. Satisfactory.

WILLIAM C. SCOTT, Commissioner.

Grant 1836, £10. Road in the Lynnfield Settlement, Saint James'.  
Expenditure, £10. Satisfactory.

JOHN COTTERELL, Commissioner.

Grant 1837, £15. Road from Cotterell's to Levar's in Saint David's.  
Expenditure, £15. No commission charged. Satisfactory.

C. H. JOUETT, Commissioner.

Grant 1836, £50. Road between Northwest Harbor and North Harbor, West Isles.  
Expenditure, £51 4s. 3d. Due Commissioner, 24s. 3d. Satisfactory.

JAMES ALBEE, Commissioner.

Grants 1837, £75. For improving the navigation of the Saint Croix River.  
30. Road from Jones Jackson's to Hitchings' Mill, Saint James'.  
30. Road from Spence's to Clarke's Point, Saint James'.  
10. Road from Jones Jackson's to the School House.

£145. Expenditure, £135. Due the Province, £10. Satisfactory.

JOSHUA KNIGHT, Commissioner.

Grants 1837, £20. Road from Carroll's to Pennfield Church.

15. Road from Spiers' to the Turnpike.

25. Road from Seeley's Cove to the Main Road near M'Kay's:

— Expenditure £35. Balance in Commissioner's hands, £25. Con-  
£60. tracts for the expenditure of this sum have been taken, but not  
completed. Satisfactory. HENRY

## APPENDIX.

HENRY SEELYE, Commissioner.

Grant 1837, £75. For blowing Rocks on the Magaguadavic River.

Expenditure, including 5 per cent. commission on Grant, £69 17s. 2d. Balance in hand, £5 2s. 10d. The Commissioner has made affidavit to the account, but it is accompanied by vouchers for only £24 7s. 6d. £14 2s. 2d. are charged for provisions and incidental expenses. Unsatisfactory.

C. H. JOUETT, Commissioner.

Grant 1837, £40. Road from the Bridge at the head of Northwest Harbor on the south side of Deer Island, to the line of William Wentworth's land.

Expenditure, including 24s. 3d. due the Commissioner on a former Grant, £40. Satisfactory.

### KENT.

POLIT BOURKE, Commissioner.

Grants 1837, £15. Road on the north side of Cocagne River.

15. Road on the west side of Cocagne Bay.

12. Road leading from the Post Road to the Thibedo Settlement.

— Expenditure, £42. Supported by vouchers and an affidavit.

£42. Particulars not stated, whether the work was performed by the day or otherwise, and therefore not sufficiently explicit.

FIDELE CASEY, Commissioner.

Grant 1837, £40. Road from Richibucto to Lower Village.

Expenditure, £40. Satisfactory.

PASCAL PORRIER, Commissioner.

Grants 1837, £40. Road on the south side of Cocagne River.

10. Road on the north side of Shediac River.

£50. Expenditure, £50 8s. 3d. Due Commissioner, 8s. 3d. Satisfactory.

DAVID M'ALMON, Commissioner.

Grants 1837, £30. Road from Lewis' Creek up to the East Branch Bridge.

10. Road from Richibucto to Mill Creek.

10. Road from Mill Creek to the Indian Line by Carruthers'.

60. Road from Molus River to Mill Creek.

10. Road on the south side of Aldoune River.

30. Towards paying a balance due on the East Branch Bridge.

— Expenditure, £133 15s. 6d. Due from Commissioner per this £150. account, £16 4s. 6d. A voucher is also produced for the expenditure of £7 1s. being part balance in the hands of the Commissioner, per last year's audit. 30s. charged for agency, paid in obtaining the money from Saint John, in this year's account, inadmissible. The account will therefore stand thus:—

Balance as above,	£16	4	6
Agency inadmissible,		1	10 0
Balance last year,	£8	16	7
Off, now accounted for,	7	1	0— 1 15 7

Due from Commissioner,	£19	10	1
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The account will then be satisfactory.

COLIN RANKIN, Commissioner.

Grants 1837, £25. Road on the north side Kouchibouguac River.

25. Road on the south side Kouchibouguac River.

— Expenditure, £43 2s. 4d. Credit is given for the Grants, and

£50. £3 0s. 8d. balance in hand last audit, leaving £9 18s. 3d. in favor of the Province. Satisfactory.

JOHN

## APPENDIX.

### JOHN BOWSER, Commissioner.

Grants 1837, £10. Road on the north side Little Buctouche.  
10. Road on the south side Little Buctouche.  
30. Road on the south side Great Buctouche.  
20. Road on the north side Great Buctouche from the Ferry up.  
15. Road and Bridges from the Chapel to the Beach.  
15. Road from John Savoy's to the Post Road.  
12. Road on the south side Chockpish River.  
— Expenditure, £93 16s. 6d. Balance in hand, £18 3s. 6d. The  
£112. Commissioner has contracted to expend this money, but the work  
has not been finished. Satisfactory.

### ISAAC SOWERBY, Commissioner.

Grants 1837, £30. Road from Molus River to Bass River.  
10. To complete the Bridge over Bass River.  
35. Road from the East Branch Bridge to the West Branch, Saint Nicholas River.  
80. For the Roads and Bridges from the West Branch to the South Branch, Richibucto.  
15. Road from the West Branch of the Saint Nicholas River to the Town Plat.  
20. Towards completing the Bridge at Trout Brook.  
30. Road from the Coal Branch Bridge to the Church.  
15. Towards erecting a Bridge at Indian House Creek.  
100. Road from the Irishtown Settlement to the Richibucto Road.  
— Expenditure, £323 9s. 10d. Due the Province, £11 10s. 2d.  
£335. Satisfactory.

### PETER ROBICHEAU, Commissioner.

Grants 1837, £15. Road through the Cape by P. Robicheau's.  
10. Road from the Bridge leading down to the Cape.  
— Expenditure, £25 13s. 6d. Due Commissioner, 13s. 6d. Satisfactory.  
£25.

### PASCAL PORRIER and PETER ROBICHEAU, Commissioners.

Grants 1836, £35. For the Bridge and Road on the east side of Cocagne Bay.  
40. For the Road on the south side Cocagne River.  
15. For the Road on the north side Cocagne River.  
20. For the Road on the west side Cocagne Bay leading to Buctouche.  
— Expenditure, £108 3s. 6d. Balance in hand, £1 16s. 6d.  
£110. Satisfactory.

### ISAAC SOWERBY, Commissioner of Roads.

Amount unexpended (see Journal 28th February, 1837), £27. Balance in hand, per account audited last winter's Session, £12 17s. 6d. Vouchers and an affidavit are now produced to show the expenditure of £39 18s. on a Bridge across Indian Creek. The balance however is incorrectly brought forward; it should be £17 9s. 11d. The balance therefore in the Commissioner's hands is £4 11s. 11d.

### PLACIDE PORRIER, Commissioner.

Balance in hand, £2 18s. 4d. See Journal 28th February, 1837. Satisfactory vouchers and an affidavit are now produced for this expenditure.

### JAMES DAIGLE, Commissioner.

Grant 1837, £20. To explore a proper route for a Road from Kouchibouguac to Point Sapine, and to open the same.  
Expenditure, £14 14s. 9d. Due the Province, £5 5s. 3d. Satisfactory.

YORK.



## APPENDIX.

### YORK.

JACOB ALLAN, Commissioner.

£6 1 9. Balance reported 28th February, 1837, as due from him. See Journal of that date.

A satisfactory voucher and an affidavit of the expenditure of this sum is now produced.

JOSEPH C. ALLAN, Commissioner.

£18 1 0. Balance reported 28th February, 1837, as due from him. See Journal. Satisfactory vouchers and an affidavit are produced for the expenditure of this balance.

JOSEPH C. ALLAN, Commissioner.

Grants 1836, £20. Road from Eel River to Shugomock.  
30. Road from Estey's to the Howard Settlement.  
10. For a public landing at the Road leading to the Poquiock Settlement.  
10. Road through the Poquiock Settlement from Shea's line to Widow Duncan's.  
15. Towards erecting a Bridge across the Lake and Magundy Streams.  
35. Road from John Gray's to Lake George.  
20. Road from H. Pickard's to the School House, Magundy Settlement.  
15. Road in Magundy from Lot No. 1 to No. 11.  
15. Road from Lockhart's to the Magaguadavic Ridge.  
10. Road from N. Barker's to James Scott's.  
— Expenditure, £180. Vouchers to the amount of £28 10s. 3d.  
£180. incomplete for the want of witnesses, where parties could not write.

JOSEPH C. ALLAN, Commissioner.

Grants 1836, £10 0. Road from Shugomock to Poquiock.  
10 0. Road from Poquiock to the Church.  
50 0. Road from the Church to W. Davidson's.  
7 10. Road from Hawkes' upper line to Thomas Welsh's.  
—  
£77 10. Expenditure, £77 10s. Satisfactory.

JOSEPH C. ALLAN, Commissioner.

Grants 1837, £40. Road leading to the Howard Settlement.  
20. Towards erecting a Bridge over the Poquiock Stream.  
40. Road from W. Davidson's to Culliton's.  
25. Road leading to the Poquiock Settlement.  
20. Road leading through the Poquiock Settlement from Shea's line to Widow Duncan's.  
20. To open a Road from the Poquiock Settlement to the Magundy.  
15. Towards completing two Bridges over the Lakes and Magundy Streams.  
—  
£180. Expenditure, £180. Satisfactory.

ADAM D. ALLAN, Commissioner.

£15 0 0. Amount reported due 28th February, 1837. See Journal.  
The Commissioner has produced a satisfactory voucher for this expenditure.

WILLIAM BOYD, Commissioner.

Grants 1836, £20. Towards erecting a Bridge across the north branch of the Tay, and to improve the Hill.  
10. Road from John Davis' to the New Brunswick Company's Road.  
—  
£30. Expenditure, £30. Satisfactory.

DANIEL JEWETT, Commissioner.

Grants 1836, £15. Road from the Ridge Road towards the Mactiquack.  
20. Road from Mactiquack upwards.  
— Expenditure, £36 8s. 4d. No vouchers. James A. Miles, Es-  
£35. quire, Justice of the Peace, certifies that the work has been faithfully  
performed. ESTATE

## APPENDIX.

### ESTATE OF THE LATE HONORABLE JOHN S. SAUNDERS.

By the Journal of the 28th February, 1837, it will appear that two Grants, amounting to £45, are unaccounted for. Jacob Allan, Esquire, Justice of the Peace, now certifies that the money was faithfully expended at or about the time the Grants were made.

### KING'S.

#### JOHN C. VAIL, Commissioner.

- Grants 1836, £10. Road from George Dunfield's to Charles Graves'.  
10. Road from Robert Teakle's, Senior, to the Main Road near Martin's.  
10. Road from Luke Harrison's to the head of the Settlement.  
10. Road from J. Parlee's to H. Leek's, and thence to Isaac Parlee's.  
10. Road from John Hallett's to Luke Harrison's.  
10. Road from George Good's to Peter Lyons'.  
10. Road from E. Foster's to the Main Road near the Meeting House.  
10. Road from G. Kierstead's to the Queen's County line.  
10. Road from N. Johnson's to the Main Road near Darling's.  
10. Road from A. Kennedy's to the Queen's County Line.  
15. Road from J. Lunn's to E. Foster's.  
10. Road from T. Tingley's to Main Road.  
10. Road from John Snider's to Main Road.  
10. Road from Ellison's to Drummond's.  
10. Road from C. Spragg's to G. Seacord's.  
10. Road from Folkin's to Belding's.  
15. Road from Henry Parlee's to the Finger Board Road.  
10. Road from Gailey's to the Butternut Ridge.  
15. Road from Roache's to near Ryan's Mill.  
10. Road from S. Goslin's to James Roache's.  
10. Road from the old Cumberland Road to the Main Road near George Fairweather's.  
10. Road from Coate's Mill to R. W. Stockton's.  
10. Road from D. Campbell's to Sidney Baxter's.  
10. Road from Walker's to the Campbell Settlement.  
10. Road from John Jordan's to Peter Hall's.  
10. Road from Currie's to the Main Road near Goslin's.  
10. For rebuilding a Bridge near C. M'Monagle's.  
10. Road from John Walker's to the Burying Ground.  
10. Road from Smith Creek Road near Charles Christie's to near John M'Arthur's.

£305. Expenditure, £287 12s. for which satisfactory vouchers are produced. On the two last mentioned Roads contracts are made for the work, but they are not completed. Balance due the Province still to be accounted for, £17 8s.

#### JOHN BARNES, Commissioner.

- Grants 1837, £10. Road from John Barnes' towards the Millican Settlement.  
10. For a Bridge near W. R. Sentell's.

£20. Expenditure, £20. Satisfactory.

#### EBENEZER SMITH, Commissioner.

- Grant 1836, £90. Road from the Bridge at Barnes' to the Church near J. Upham's.  
Expenditure, £90. Satisfactory.

#### A. M. PICKETT, Commissioner.

Amount unaccounted for, £10. See Journal of the 28th February, 1837.

The Commissioner has produced satisfactory vouchers and an affidavit shewing the expenditure of this amount.

#### RICHARD WILLS, Commissioner.

- Grant 1837, £20. Road from Good's Mill to Queen's County Line.  
Expenditure, £20. Satisfactory.

## APPENDIX.

JOHN PALMER, Commissioner.

Grants 1837, £10. Road near the Hammond River Bridge to the old Road near Beattie's Ferry.

10. Road from Richard Sherwood's to the old Road near Beattie's Ferry.

10. Road from Longstroth's to the Saint John County line by Thomas Palmer's.

£30. Vouchers are produced shewing the expenditure of £28 10s.; of which £7 3s. are irregular from there being no witnesses to parties who could not write. There is no account with the vouchers, and no affidavit. Unsatisfactory.

### NORTHUMBERLAND.

JOHN M'DONALD and WILLIAM WILLISTON, Commissioners.

Grants 1837, £97 10 0. Towards opening the new line of Road explored in 1836 by M'Donald and Williston, from George Williston's Farm to Eel River.

25 0 0. Road leading from Horton's Creek to John M'Donald's, Bay du Vin.

Old balance, 4 3 8.

Expenditure, £123 19s. 3d. Due the Province £2 14s. 5d. Satisfactory.

DAVID CROCKER, Commissioner.

Grants 1837, £30. Road from John Goodfellow's to the Southwest throught the Williamstown Settlement.

15. Road from the lower Williamstown Settlement to the main Northwest near J. Tozer's.

10. Road from the Meeting House to the M'Lean Settlement.

25. Road from Cuppage and White's to James Holmes'.

20. Road from the Bridge across Goodfellow's Brook to the Widow M'Graw's.

20. Road from Beaubair's Point upwards, on the South side of the Northwest.

25. Road between Barnaby's River and Peter Stewart's Farm.

25. Road between Nelson Village and Barnaby's River.

15. Road between Lots No. 8 and 9 on the Semiwagan Ridge.

20. Road from Nowland's Farm to the upper Settlement on Barnaby's River.

15. Road from Sutton's Barn to T. Oats' Farm.

30. To explore and open a Road from Dennis Kirk's to Joseph Hutchinson's, Barnaby's River.

30. Road from W. Hogan's to Robert Doak's.

— Expenditure, £248 14s. 3d. Credit is given for the amount of £280. Grants, with £7 10s. 7d. balance in hand last year. Due the

Province, £38 16s. 4d. The Commissioner states that contracts have been entered into to expend this sum, but that they are not yet completed. Satisfactory.

THOMAS W. UNDERHILL, Commissioner.

Grants 1837, £20. To explore and open a Road on the North side of Renou's River, between Patrick Whelan's and Indian Town.

35. To explore and open a Road from John Lee's Farm to James Donaldson's on Renous River.

10. Road from Bartholomew's River to the Forks.

25. Towards exploring and opening a Road from the Forks, Cain's River, to Sabbie's River, thence to Patrick Johnston's.

— Expenditure, £102 17s. 6d. Due Commissioner, £12 17s. 6d. £90. Unsatisfactory for want of affidavit.

DUDLEY

## APPENDIX.

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DUDLEY PERLEY and WILLIAM JOPLIN, Commissioners.

Grants 1835, £20. To explore and open a Road from the Road on the south side of Miramichi River at Mudoch's Marsh to Napan River.

90. }  
1836, 100. } Two Grants to erect a Bridge across Little Black River.

1837, 25. Road from Wilson's Lot on the Rock Head to Carruthers' on the River Napan.

— Expenditure, £235 17s. 11d. Due Commissioners, 17s. 11d.  
£235. Satisfactory.

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### WESTMORLAND.

JOHN TRENHOLM, Commissioner.

Grants 1837, £15. Road from Philip Chapman's to James Blanche's across the Little Shemogue.

25. Road from Bay Verte to Dobson's.

10. Road from Thomas Oulton's to the Emigrant Road.

15. Road from Gaspereaux to Shemogue.

10. Road from the Shemogue Road to Square Lake.

20. Road from P. Blanche's to the Little Cape on the West side of the Great Shemogue.

15. Road from E. Raworth's to John Allan's Road.

60. Road from Gaspereaux to Cape Tormentine through the Emigrant Settlement.

70. For the Gaspereaux Bridge.

5. Road from Peter Budrot's to the Ohio Settlement.

10. Road from Philip Chapman's to Thomas Oulton's, Jr.

5. Road from Shemogue Road to John Downing's.

15. Road from the Great Shemogue Road to the Little Shemogue.

10. Road from John Raworth's to Emigrant Road.

30. Road from Thomas Oulton's, Jr. to Thomas Phelon's.

15. Road from Tedish to Shemogue.

— Expenditure, £324 17s. 3d. including commission. Due the  
£330. Province, £5 2s. 9d. The Commissioner has overcharged 20s.

in extending voucher for payment to James Strik on the Road from John Raworth's to the Emigrant Road, 4s. having been only paid instead of 24s. charged. The balance in hand will therefore be £6 2s. 9d. The vouchers do not state whether the work was done by the day or job, or whether it was let at public action. Vouchers to the amount of £66 2s. 1d. irregular for the want of competent witnesses to the acknowledgments of parties, who, it appears, were not able to write their names. In this instance the witnesses were in the same situation.

JOHN TRENHOLM, Commissioner.

£2 17 1. Balance on hand as reported 28th February last. See Journal.

Satisfactory vouchers and an affidavit are now produced for the expenditure of this sum.

SAMUEL HOLSTED, Commissioner.

Grant 1837. £40. Road from Holsted's to Butternut Ridge.

Expenditure, £34 14s. 6d. Balance due the Province, £5 5s. 6d. One of the vouchers for £5 14s. unsatisfactory for want of a witness, the party having made his mark only.

NATHAN LAWRENCE, Commissioner.

Grant 1837, £40. Road from Thomas Ayers' to Benjamin Landrie's.

Expenditure, £40. Satisfactory.

CHARLES TIBIDO, Commissioner.

Grants 1836, £40. Road from near Gabriel Herbert's through Downing's and Bellivou Villages, and thence to the Chapel.

15. To explore a Road from near Ralph Carter's to Peticodiac River.

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£55. *Carried forward.*

## APPENDIX.

£55. *Brought forward.*

- 20. Road from the Shediac Road through the Manudie French Settlement.
  - 10. Road from the Great Road in Dorchester to the Sackville Line by Chapman's Mills.
  - 10. Road from Cook Smith's in Dorchester to the Sackville Line.
  - 15. Road from the Shediac Road to the head of the Tide in Shediac River, by J. Harrington's Mills.
  - 5. Road from the Shediac Road to Slaven's.
- Expenditure, £122 11s. Due Commissioner, £7 11s. Satisfactory.

SAMUEL HOLSTED, Commissioner.

Grant 1837, £10. Road from Abner Taylor's on the North River to the Lewis Settlement. Expenditure, £10. Satisfactory.

SAMUEL HOLSTED, Commissioner.

Grant 1837, £10. For opening and improving the Road from Daniel Wheaton's to Robert Dobson's.

Expenditure, £4. Due the Province, £6. Voucher for 20s. unsatisfactory for want of a witness to a party who could not write.

JAMES WALLACE, Jr. Commissioner.

Grants 1837, £40. Road from Hamilton's in Hopewell to Hillsborough.

- 20. Road from Calhoun's to Alexander Steeves'.
- 20. Road from the Wadworth Settlement to the Caledonia Settlement.
- 30. Road from M'Latchey's Bridge to George Colpitt's.
- 60. Road from M'Latchey's Bridge to Stoney Creek, and thence to Mill Creek.
- 20. Road from Henry Steeves' to the Irwin Settlement.
- 20. Road from Chapman's up Turtle Creek.
- 20. For repairing Turtle Creek Bridge.

— Expenditure, including 28s. 5d. due Commissioner last year, £230. £242 19s. 4d. Due Commissioner, £12 19s. 4d. This balance has been expended on Turtle Creek Bridge. Satisfactory.

SAMUEL HOLSTED, Commissioner.

Grant 1837, £10. Road from James Crandall's to Bell's Farm.

Expenditure, £11. Due Commissioner, 20s. Satisfactory.

JOHN PALMER, Commissioner.

Grant 1837, £20. Road from William Cook's to the Grand Aunce Creek.

Expenditure, £20. Vouchers and an affidavit. The former do not specify how the work was performed.

SAMUEL HOLSTED, Commissioner.

Grant 1837, £20. Road from Sherman's to North River.

Expenditure, £20. Vouchers for £1 17s. wanting.

THOMAS TOWNSEND, Commissioner.

Grant 1837, £35. Road from Townsend's to Bay Verte.

Expenditure, £35. Satisfactory.

WILLIAM CHAPMAN, Commissioner.

Grant 1836, £40. Road from the Bend to the Irishtown Settlement.

Expenditure, £40. Five of the vouchers amounting to £18 11s. 10d. acknowledged with a "X," without witnesses. The account does not mention how the work was performed. Unsatisfactory.

WILLIAM CHAPMAN, Commissioner.

Grant 1836, £10. Road leading from Z. Lute's to the Mountain Settlement.

Expenditure, £13 19s. Credit is given for balance in 1835, 9s. 9d., and £3 9s. 3d.

- APPENDIX.

9s. 3d. for short expenditure 1837, £13 19s. including the grant. Vouchers for £2 12s. 6d. incomplete for the reasons stated in preceding report. Account does not state how the work was performed.

WILLIAM CHAPMAN, Commissioner.

Grant 1836, £15. Road from the Bend towards Richibucto.

Expenditure, £15. Vouchers for £7 16s. 9d. incomplete for the reasons stated in the last report, and the same objections in other respects.

WILLIAM CHAPMAN, Commissioner.

Grant 1836, £10. Road from near Job Steeves' to the Kelly Settlement.

Expenditure, £10. Voucher for £4 18s. incomplete as the last, and the same objection in other respects.

WILLIAM CHAPMAN, Commissioner.

Grant 1836, £25. Road from the Bend to the Mountain Settlement.

Expenditure, £25 19s. 6d. Due Commissioner, 19s. 6d. The same objection applies to one of the vouchers £6 2s. in this account, and in other respects it is not sufficiently clear.

WILLIAM CHAPMAN, Commissioner.

Grant 1837, £15. Road from the Great Road to the Kelly Settlement.

Expenditure, £14 19s. 6d. One of the vouchers, £1 6s. 6d. incomplete for the reasons stated in the last, and the manner in which the work has been performed not explicit.

WILLIAM CHAPMAN, Commissioner.

Grant 1837, £45. Road from the Bend to the Irishtown Settlement.

Expenditure, £45. Vouchers to the amount of £12 1s. irregular for the reasons stated above, and the same objections to the account in other respects.

WILLIAM CHAPMAN, Commissioner.

Grant 1837, £15. Road from the Bend towards Richibucto.

Expenditure, £15. Vouchers for £6 15s. incomplete for the same reasons as the last, and the account is subject to the other objections also.

WILLIAM CHAPMAN, Commissioner.

Grant 1837, £10. Road from John Harris' to Jacob Trites' by Brown's Mill.

Expenditure, £10. No particulars as to the way in which the work was performed.

WILLIAM EVANS, Commissioner.

Grants 1836, £10. Road from the Great Marsh in Sackville to Point Migic.

10. Road from the Great Road to Richard Lourison's.

— Expenditure, £26 1s. 3d. Credit is given for the two grants, £20. £20, and balance in hand, £6 6s. per last year's audit. Due the

Province, 4s. 9d. Satisfactory.

WILLIAM EVANS, Commissioner.

Grants 1837, £20. Road from W. Kinnear's to Fairfield.

15. Road from James Ayer's to Beach Hill.

15. Road from Wm. Mitton's to Crossman's.

15. Road from James Purdy's to Wm. Cook's.

10. Road from Great Road to second Westcook Hill.

15. Road from George Richardson's to Crossman's.

20. Road from Aboushagan Road to David Cook's.

20. Road from the Great Marsh in Sackville to Point Migic.

30. Road from Westcock to Cape Maranguin.

— Expenditure, £159 4s. 6d. Credit is given for the grants, and £160. 4s. 9d. due on preceding report. Due the Province, 20s. 3d.

Satisfactory.

## APPENDIX.

WILLIAM TACKLES and EZRA STILES, Commissioners.

£50. Grant of 1827, not accounted for as reported 28th February last, per Journal of that date.

Vouchers and an affidavit to support the expenditure are now produced by Mr. Stiles.

JOHN PARKIN, Commissioner.

Grants 1837, £15. Road from Thomas Colpitt's Mill through the Coverdale River Road.

15. Road up Pollet River to John Gildart's.

— Expenditure, £30. No commission charged. Satisfactory.  
£30.

MOSES WELLING, Commissioner.

Grants 1837, £5. Road from Carson's to Scoudac River.

10. Road from Brockway's Mills to Barter's.

15. Road from the Shediac Road to the head of the Tide on the Shediac River.

— Expenditure, £32 11s. Due Commissioner, £2 11s. Satisfactory.  
£30.

SIMON LEGERE and JOHN BABINO, Commissioners.

Grants 1837, £5. Road from the Sackville Road to John Gallang's.

20. Road and Bridge from M. Tarrio's over the Southeast Branch of the Aboushagan River.

25. Road from Sackville to Aboushagan.

20. Road from the Chapel to the Southwest Branch of the Aboushagan River.

15. Road from the Bridge on the Southwest Branch of the Aboushagan River to the Sackville Road.

— Expenditure, £85. Satisfactory.  
£85.

SILVAN ARCENEAU, Commissioner.

Grant 1837, £70. For Scoudac Bridge.

Expenditure, £70 9s. Due Commissioner, 9s. Satisfactory.

ESTATE OF BENJAMIN CHARTERS.

The sum of £10 was accounted for, as will appear by the Journal of the 28th February last. The administrator, R. B. Cutler, has produced some vouchers, and made an affidavit that the money has been properly applied and paid.

## QUEEN'S.

DAVID M'DONALD, Commissioner.

Grant 1836, £25. Bridge over Donaldson's Brook.

Expenditure, £23 10s. Commission charged, 30s. Off overcharge of commission, 5s., which is due the Province. When this is corrected the account will be satisfactory.

PETERS YEAMANS, Commissioner.

Grants 1837, £15. Bridge over a Brook between Yeamans' and Cox's Mills on the Newcastle.

10. Road from Lower Mills, Newcastle, to upper Mills.

10. Road from the Cross Road to Coakley's on the Newcastle.

— Expenditure, £35. Satisfactory.  
£35.

PETERS YEAMANS, Commissioner.

Grants 1837, £25. Road leading from the western side of Salmon River to Briggs' and M'Gregor's Mills.

30. Road leading from Salmon River through by Salmon Creek to the Hardwood Ridge.

— Expenditure, £54 9s. 8d. Due the Province, 10s. 4d. Satisfactory.  
£55.

THOMAS

## APPENDIX.

THOMAS COX, Commissioner.

Grants 1837, £25. Road from Cumberland Bay Bridge to Alexander M'Lean's.  
20. Road from Cox's Point to Coal Creek.  
10. Bridge over Beaver Pond Brook.  
— Expenditure, £30 11s. 10d. Remaining unexpended, £24 8s. 2d.  
£55. No commission included in the £30 11s. 10d. Two vouchers amounting to £7 2s. 4d. unsatisfactory for the want of witnesses to the acknowledgment of persons who it appears could not subscribe their names.

THOMAS T. HEWLETT, Commissioner.

Grants 1836, £30. Road from Jones' Mill to John Allen's.  
20. For improving the Road near Jones' Mill, near Little River.  
15. Road from Carleton Peters' to Marr's.  
15. Road from Marr's to Ocnabog Bridge.  
10. Road from the Cross Road at the School House near Bailey's towards Paisley's.  
—  
£90. Expenditure, £86 5s. 2d. Due the Province, £3 14s. 10d.  
Satisfactory.

RICHARD HEWLETT, Commissioner.

Grants 1837, £20. Road from Sanburn's Mill to the New Jerusalem Settlement.  
20. Road from William Clark's to the Road leading to Burge's Corner.  
30. Road from Ann Vanwart's to Fanning's Mill Brook.  
15. Road leading through the Farm of Gilbert Merritt's, Parish of Hampstead.  
—  
£85. Expenditure, £69 18s. Due the Province, £15 2s. Satisfactory except one of the vouchers for 40s. requiring a witness, the party not being able to write his name.

## SUNBURY.

LINAS SEELY, Commissioner.

Grants 1837, £25. Road from the South Branch Bridge to Thomas Hartt's.  
30. Road from Thomas Hartt's to S. Tracey's.  
60. Road from Rushagonis to Hartt's Mills.  
10. Road from Hartt's Mills to Diamond Square.  
— Expenditure, £103 1s. 10d. Commission, £5 3s. 1d., in all  
£125. £108 4s. 11d. Due the Province, £16 15s. 1d. Satisfactory.

JOHN DEVEBER, Commissioner.

Grant 1837, £20. Road from Samuel Smith's to George Barker's upper Line.  
Expenditure, £20. Satisfactory.

WILLIAM SCOLLAR, Commissioner.

Grant 1837, £10. Road to the new Settlement near Walter Patterson's.  
10. Road from South Branch Road to Scoullar's Mills.  
15. Road from the Road near Jones' to the Oromocto River.  
— Expenditure, £34 7s. 5d. Due the Province, 12s. 7d. Satisfactory.  
£35. factory.

## GLOUCESTER.

JOHN MONTGOMERY, Commissioner.

Grants 1837, £40. Road from the Great Road to the Settlement of Eel River.  
20. Road from the Great Road to the Settlement on Nash's Creek.  
20. Road from M'Pherson's to River Charles.  
40. Road to the Bridge over Kearney's Brook.  
25. For repairing the Bridge over Louison's Brook.  
— Expenditure, £133 0s. 6d., including balance in favor of Commissioner of £18 1s. 1d. per report last Session. Due the Province, £11 19s. 6d., which the Commissioner states he has disposed of, but the contract was not completed. Satisfactory.

ARTHUR



## APPENDIX.

ARTHUR RITCHIE, Commissioner.

Grant 1837, £100. Road from Christopher's Brook to the Flat Land Settlement.  
Expenditure, £100. Satisfactory.

ALEXANDER ANDERSON, Commissioner.

Grant 1837, £20. Road between Tattagouche Bridge and Alston Point.  
Expenditure, £20 9s. Due Commissioner, 9s. Satisfactory.

JOHN RICHEY, Commissioner.

£6 14 6. Balance reported 28th February, 1837, as due from him. See Journal.  
Vouchers and an affidavit are produced for the expenditure of £6 6s. 6d., besides which the Commissioner charges 20s. for two days surveying.

VALENTINE GIBBS, Commissioner.

Grants 1837, £265. Road between the Northumberland line and Pokemouche :  
Road from the River Waugh to Sewell's : and  
Road from Pokemouche to Carraquet on the Lower Portage.  
Expenditure, £264 1s. Balance due Commissioner on former accounts, 19s.  
Satisfactory.

JOSEPH READ, Commissioner.

Grant 1836, £30. Road from William Welsh's to Grant's Brook.  
Expenditure, £30 3s. 9d. Due Commissioner, 3s. 9d. Satisfactory.

JOSEPH READ, Commissioner.

Grant 1836, £150. Road from Bass River Bridge to the Great Road.  
Expenditure, £162 18s. 4d. Due Commissioner, £12 18s. 4d. Satisfactory.

JOSEPH READ, Commissioner.

Grant 1837, £30. Road from the Painbenaud River to Bathurst.  
Expenditure, £27 12s. Due the Province, £2 8s. Satisfactory.

JOSEPH READ, Commissioner.

Grant 1837, £25. Bridge over Doucett's Cove.  
Expenditure, £25. Satisfactory.

JOSEPH READ, Commissioner.

Grant 1837, £20. Road from the second and third tier of Lots on Grant's Brook to the Shore.  
Expenditure, £20. No commission charged. Satisfactory.

ROBERT ELLIS, Commissioner.

Grant 1837, £60. Road between Pokeshaw and Bass River.  
Expenditure, £55. Due the Province, £5. Satisfactory.

ROBERT ELLIS, Commissioner.

Grants 1836, £15.  
1837, 15. Road through the Waterloo Settlement.  
— Expenditure, £29 10s. Due the Province, 10s. Satisfactory.  
£30.

ROBERT ELLIS, Commissioner.

Grant 1837, £10. Road from Richard Dawson's to the back Settlement.  
Expenditure, £10 5s. Due the Commissioner, 5s. Satisfactory.

ROBERT ELLIS, Commissioner.

Grant 1836, £15. Road from Ellis' to Teague's Brook.  
Expenditure, £14 15s. Due the Province, 5s. Satisfactory.

ROBERT ELLIS, Commissioner.

Grant 1836, £10. Road from Janeville to the back Settlement.  
Expenditure, £9 19s. Due the Province, 1s. Satisfactory.

ROBERT

## APPENDIX.

ROBERT ELLIS, Commissioner.

Grant 1837, £35. Road between Grand Aunce and Pokeshaw.

Expenditure, £32 15s. Due the Province, £2 5s. Satisfactory.

ROBERT ELLIS, Commissioner.

Grant 1836, £40. Road from R. Ellis' to M. Parrot's.

Expenditure, £42 10s. Due Commissioner, £2 10s. Satisfactory.

ADAM FERGUSON, Commissioner.

Grants 1837, £40. Road from Robert Ferguson's Mill Stream to Christopher's.

50. To erect a Bridge upon Christopher's Brook.

40. Road from the main Road to the Settlement in the rear of the Sugar Loaf Mountain.

£130. Expenditure, £90, as required by the two first mentioned Grants.

The contract for the last Road was made, but the work not completed to the satisfaction of the Commissioner. £40 remain yet to be accounted for. No commission charged. Satisfactory.

N. ROBICHEAU, Commissioner.

By an order of the House of the 28th February, 1837, this Commissioner was required to account for £20 paid over to him to expend. He now produces satisfactory vouchers, supported by his affidavit, shewing the expenditure of the above amount.

Respectfully submitted.

J. R. PARTELOW, *Chairman.*

*Committee Room, 21st February, 1838.*

### REPORT ON VARIOUS ACCOUNTS.

**M**R. PARTELOW, Chairman of the Committee of Public and Private Accounts, reports, that the Committee have had the following accounts under consideration.

No. 1. Is the account of John Simpson, Queen's Printer, for printing the Laws and Journals of two Sessions of the Legislature, with other incidental charges, amounting to

£699 17 6

He credits two grants of last winter's Session towards this service of £150 each,

300 0 0

Balance in favor of Mr. Simpson,

£399 17 6

No. 2. Is an account of John Simpson, Queen's Printer, for sundry publications in the Royal Gazette, amounting to

£217 19 6

No. 3. Is an account of Henry Chubb for printing Delegation reports, reports of Chairman of Accounts, &c. including charges for superintending and correcting, amounting to

£277 5 0

No. 4. Is the account of George Hayward, James Brown, Junior, and Adam B. Sharp, Commissioners appointed to explore the following lines of Road, viz. :—

From Fredericton to Saint Andrews,

£35 5 0

From Fredericton to Burgoyne's Ferry on the Road to the Canada line,

£70 0 0

From Moncton to the County line on the Road from Fredericton to the Finger Board,

30 7 9

£135 12 9

This account is accompanied by the requisite vouchers, and is sworn to by George Hayward, one of the Commissioners.

Respectfully submitted.

J. R. PARTELOW, *Chairman.*

*Committee Room, March 2, 1838.*

No. 8.

## REPORT FROM COMMITTEE OF NOVA SCOTIA ON THE SUBJECT OF FISHERIES.

THE FISHERIES—(EXTRACTED FROM THE JOURNALS OF NOVA SCOTIA, 1837.)

**T**HE Committee appointed to take into consideration the subject of the Fisheries, and the infringement of existing Treaties by the citizens of other Nations, report as follows.

That, anxious to obtain the most full and satisfactory testimony on which to found their report, they submitted interrogatories to the most intelligent commercial men engaged in the fisheries throughout the Province, and have accumulated a mass of evidence removing all doubt on the subjects referred to them, and exhibiting a melancholy picture of the evil consequences flowing from the indiscreet negotiation between Great Britain and the United States of America; and the flagrant violations of subsisting treaties by the citizens of the latter, and the necessity of promptly repelling such invasion of our inherent rights.

The Committee, in order to place the subject fully before the House, and to adapt the testimony received, refer to the treaties, and a succinct historical sketch of the fisheries prior to their adoption, to guide to the course most for the benefit and interest of the inhabitants of this Colony. The cod fishery of Newfoundland and Canso, on the Peninsula of Nova Scotia, commenced soon after the discovery of the former by Sebastian Cabot, in the reign of Henry the Seventh, 1497: all nations resorted to the banks and coasts of that island until the reign of Elizabeth, when Sir Humphrey Gilbert took possession, and claimed sovereignty under the right of original discovery. Newfoundland acknowledged that right; the French Government disputed the claim to the fishery of Canso, until Nova Scotia was ceded by treaty in 1749 and Cape Breton conquered in 1758; from which period British subjects pursued the fisheries on Brown's bank and the banks of Nova Scotia *exclusively*, and on the banks of Newfoundland in *common* with the subjects of every European nation; the Colonists also, with British subjects only, resorted at pleasure to every part of Newfoundland and to the Labrador coasts, after the expulsion of the French from Canada in 1759—to which Government Labrador then belonged; leaving the French accommodated with the islands of Saint Pierre and Miquelon, and the northwest side of Newfoundland. At the Peace of 1783, a treaty was entered into between the United States and Great Britain, by the third article of which the people of the former obtained the right "to take fish on the Grand bank and all other banks of Newfoundland in the Gulf of Saint Lawrence, and all other places in the sea where the inhabitants of both countries had been used to fish before, and the *liberty* to fish on such part of the coast of Newfoundland as British fishermen used (but not to dry or cure fish there), and on the coasts, bays and creeks of all other British dominions in America." American fishermen also obtained *liberty* to dry and cure fish in any unsettled bays, harbors, and creeks of Nova Scotia, Magdalen Islands and Labrador; but as soon as any of them were settled this liberty was to cease, unless continued by agreement with the inhabitants.

By this inconsiderate article of the treaty (to speak of it in the mildest terms), a source was opened from which flowed a torrent of misfortune to the inhabitants of this Province; by it the harbors of the Atlantic Colonies were thrown open to the vessels of the United States, and the native fishermen subjected to a hostile rivalry, with which they were  
unable

## APPENDIX.

unable to compete, and from which no prospect was afforded of escape, while liberties of no ordinary character were ceded to the United States, affording profitable fields for commerce, and fostering a race of seamen conducive to national wealth in peace, and to defence and glory in war. Writhing under difficulties thus heaped on them, the Colonists, by the declaration of war in 1812, were unexpectedly relieved, and exerted themselves to retain their restored rights; fishing vessels of the United States were ordered off by British naval forces, or captured and condemned, on the ground that the treaty no longer existed, maintaining that the treaty of 1783, not having been confirmed by the treaty of Ghent, was annulled by the war of 1812; at this period warm and energetic remonstrances went from the Colonies, soliciting the protection of their rights, and on the subject of the fisheries Nova Scotia was foremost. By memorial on 8th October, 1813, she intreated His Majesty's Ministers to guard against the hateful article of the treaty of 1783, and to exclude the French, American and Foreign Fishermen from the narrow seas and waters of these northern Colonies, stating that her inhabitants procured a living by their industry on those waters, which unquestionably belonged to Britain; she urged that if American citizens were to obtain the right of entering the gulfs, bays, harbors or creeks of these Colonies, that there would be no security against illicit trade, and the numerous evils inevitably attending such intercourse; that the sentiments, habits and manners, both political and moral, of the lower order of Americans, were dangerous and contaminating; that it was the first and most fervent wish of these Colonies to be completely *British*, their surest defence and greatest blessing, and that the intercourse permitted by that fatal article of the definitive treaty was detrimental and ruinous. Seizures were made by the British cruizers on the station, and the judgment in the case of the *Nabby* hereto annexed, marked No. 1, exhibits the view then entertained by Colonists of their rights of fishery, and the advantages resulting from the war of 1812. The United States dissented from the doctrine maintained by Great Britain, and after protracted negotiation and various proposals, the convention of 1818, under which the inhabitants of this Colony have been a second time stripped of their national rights, was agreed on; and, disregarding the voice of the people, the Minister of that day consented that the United States should have forever in common with British subjects the liberty to fish on the southern coasts of Newfoundland from Cape Rae to the Ramau islands, on the western and northern coasts of Newfoundland, and from that Cape to the Querpon islands, on the shores of the Magdalen islands, and on the coasts, bays, harbors and creeks from Mount Jolie, on the southern coast of Labrador, to and through the Straits of Belisle, and thence indefinitely along the coast northerly, but without prejudice to the exclusive rights of the Hudson Bay Company, and that the American fishermen should also have liberty forever to dry and cure fish in any of the unsettled bays, harbours and creeks of the southern coast of Newfoundland, as above described, and of the coast of Labrador, subject after settlement to agreement with the proprietors of the soil. In consequence of the above stipulation the United States renounced forever the liberty of fishing within three marine miles of any other part of the British coasts of America, or of curing or drying on them; but American fishermen were to be permitted to enter bays or harbors on the prohibited coasts for shelter, repairing damages, and purchasing wood, and obtaining water, and for no other purpose whatever, subject to restrictions necessary to prevent abuses. Thus, in the face of the decisions of our Courts, of petitions from Nova Scotia, Newfoundland, and the merchants of London interested in the Colonies, the foregoing fatal treaty was proposed, agreed on, and completed with such marked secresy, that none were apprised of its terms until it appeared in the public prints, and the people of this Province deprived of their most valuable birthright—the *Fisheries*.

The advantages conferred on the citizens of the United States of America by the foregoing policy, was received by them not as a boon but a right. Although the war of 1812 had abrogated the treaty of 1783, the Minister Plenipotentiary of the United States, who negotiated and settled the new convention, to use his own language, said—“It was by *our* act that the United States *renounced* the right to the Fisheries not guaranteed to them by the convention. We deemed it proper under a three fold view.—1st, to exclude the implication of the fisheries secured to us being a *new* grant.—2d, to place the rights secured and renounced on the same footing of permanence.—3d, that it might expressly appear that our renunciation was limited to *three* miles from the coasts.

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## APPENDIX.

This last point we deemed of the more consequence from our fishermen having informed us that the whole fishing ground on the coast of Nova Scotia extended to a greater distance than three miles from the land—whereas on the coast of Labrador it was universally close in with the shore. To the saving of the exclusive rights of the Hudson's Bay Company we did not object; the charter of that Company had been granted in 1670, and the people of the United States had never enjoyed rights in that Bay which could trench upon those of the Company. Finally, it is to be remarked that the liberty of drying and curing on certain parts of the coasts of Newfoundland, as secured in the article, had not been allotted to the United States, even under the old treaty of 1783." When the convention was made public, the article on the fisheries was assailed by complaints from all quarters, and none more loud or just than from Nova Scotia; galled by the recollection of the treaty of Paris in 1814, the Colonists felt that Great Britain, when flushed with conquest and wearing the laurels of victory, had yielded to the intrigues of the vanquished, and alienated the rights of her subjects, they felt the utter hopelessness of breaking the treaty; that the fate of the fishery was sealed, and were lulled into submission by the intimation of Ministry that bounties would be granted upon their fish to compensate for the disadvantages inevitably imposed. In Nova Scotia the information produced gloom, distrust and despair; they were, however, still composed by the assurances of Government that their remaining rights should be protected, that the naval force would repel infringers of the treaty, and the flag of England would insure safety to the industrious class engaged in the laborious pursuit of the fishery; and the Colonists were assured that the vigilance of the naval force would shut out the dangerous rivalry of foreigners, at least in the fishery, within three marine miles of the coast of Nova Scotia. How far their anticipations and hopes have been realized, the annexed mass of testimony proves.

The Committee further report, that the construction of distinguished lawyers and the legitimate construction of the convention is, that the citizens of the United States cannot conduct their fishery within three marine miles of the headlands of the coast of Nova Scotia, and have no liberty to enter the bays, harbors or creeks thereof, except for shelter, and to purchase wood or obtain water, and only then on proof of having left their own ports sufficiently supplied for the voyage; yet, on inquiry and hearing evidence, it is proved beyond all doubt by witnesses of unquestionable character, that the fishing vessels of that country resort to our shores with as little concern as they quit their own—that, contrary to the terms of the convention, they purchase bait from the inhabitants, and in many instances set their own nets within the harbors of the Province, and on various occasions have, by force, coerced the inhabitants to submit to their encroachment, and they land on the Magdalen islands, and pursue the fishery therefrom as unrestricted as British subjects, although the convention cedes no such right. The consequences following in the train of these open violations of a solemn treaty, are illicit trade—destruction of the fishery by the means of conducting it—interruption of that mutual confidence which ought always to exist between the merchants and fishermen of a country, inducing the former to supply and the latter to make payments with punctuality; and finally the luring from our shores, by means of bounties, the youth of our country to their employment, reducing our population and impoverishing our Province, while they add strength and vigor to their own; for proof of which your Committee refer to the documents hereto annexed, and numbered from 1 to 3.

The Committee further report that the mode of taking fish by the Americans, particularly mackerel, has a tendency to impair and will ultimately destroy the fishery: they approach within the prescribed limits, and by the use of bait tole the fish into deep water, and then take them by jigs, a system destructive to the fishery, by wounding more fish than are taken, which afterwards linger and die, and by detaining them so late by offering food, that the mackerel return to the westward, an immense distance from land, and beyond the reach of net or shore fishermen.

The Committee have also inquired into the encouragement given by the Americans to their fishery, and find that they fit out their vessels on shares; that the Government allows four dollars per ton to all vessels between thirty and ninety tons in the cod fishery, provided they are engaged one hundred and twenty days in the voyage, and dress and cure the fish they land; the one half is usually given to the crew, and the other retained by the owners, and thus a direct bounty is offered to the youth of the Colonies to join them

## APPENDIX.

them to the extent of the bounty on the fish which passes for American, and the duty imposed on foreign fish; to illustrate which, the Committee suppose a native fisherman, owner of ten quintals of round or undressed fish, joining the people of the United States, he obtains a bounty, enters them in the United States duty free, and avails himself of a good market: if he adheres to Nova Scotia he obtains no bounty, is compelled to bear the fluctuations of market, or if he seeks the United States is met by a heavy duty, in addition to which the outfit from that country is generally more economical.

Your Committee further report, that by the convention of 1818 and the 59th George 3d, all vessels not navigated according to the laws of Great Britain, found fishing, or to have been fishing, or preparing to fish, within certain distances of any coasts, bays, creeks or harbors whatever, in any part of His Majesty's dominions in America, not included within the limits specified in the first article of said convention, are liable to seizure; and therefore, they are of opinion, that by restricting the fishing vessels of the United States to a distance of three marine miles from the head lands of Nova Scotia, they, as a matter of course, close the Gut of Canso against them, under the terms of the treaty, it being impossible for vessels fitted out and apparalled for fishing to pass that Strait without infringing the spirit and letter of the convention.

The Committee further report that the present situation of the fisheries of Nova Scotia is appalling: close to inexhaustible sources of wealth to which the attention of thousands has been devoted for nearly a century, and from which most munificent returns have been received for the labor bestowed, the whole is paralyzed by the interference of other nations, and people must abandon the net and shore fishery hitherto pursued—follow the example of their rivals, and adopt a mischievous and ultimately destructive system, or call on the Government to enforce the treaty by which so much has been ceded and so little retained, and even that now invaded with impunity; this latter alternative the Committee strongly urge on the House, and while they reflect on the policy of Great Britain to preserve a monopoly to the tonnage of her country in all maritime adventures, that her insular situation requires nurseries for seamen to preserve the dominion of the ocean—that a tacit recognition of our claims for rigid protection was evinced at the execution of the convention—they hope that instructions will be given to guard the few remaining rights the people of Nova Scotia still possess.

Finally, the Committee report that the youth of the Province are daily quitting the fishing stations, and seeking employment on board United States vessels, conducting them to the best fishing grounds, carrying on trade and traffic for their new employers with the inhabitants, and injuring their native country by defrauding its revenue, diminishing the operative class, and leaving the aged and infirm to burthen the community they have forsaken and deserted.

The Committee recommend, that a strong remonstrance should be made to His Majesty's Government by address from the Legislature, or through His Excellency the Lieutenant Governor, calling the attention of the Government to the state of our fisheries, and soliciting His Majesty to order one or more steam boats, or a few fast sailing schooners on this station, to be employed in repelling by force those invaders of our rights—and to prevent delay, that a grant should pass to induce by bounty the inhabitants to fit out small vessels to be used as preventive force under the Provincial statutes; the Committee being of opinion that unless prompt and efficient measures are adopted and continued, that it would be more for the interest of the Colonists to admit Americans to settle on the shores of Nova Scotia, erect fishing establishments, and conduct the fishery therefrom, for then equality would be preserved, and the people retained in the Province with the product of their labor.

JAMES B. UNIACKE, *Chairman.*

*House of Assembly, 10th April, 1837.*

### No. 1.

*Judgment delivered in the Court of Vice Admiralty, at Halifax, in Nova Scotia, on the twenty fourth day of August, 1818, in the case of the Schooner Nabby, Thomas Standley, Master—by CROFTON UNIACKE, Esquire, Judge of that Court.*

This vessel was seized by His Majesty's ship Saracen, John Gore, Esquire, Commander, and has been brought into this Court for adjudication. An allegation has been filed

## APPENDIX.

filed on behalf of His Majesty, containing several charges, and a claim has been made by Thomas Standley, the master, a citizen of the United States of America, on behalf of himself, Joseph Standley, and Samuel Hadlock, also citizens of the United States, as the owners of this vessel.

In considering the case which is submitted to the Court in this allegation and claim, it will be found to rest upon two grounds, which have been brought forward and supported with great learning and ability on the part of the prosecution.

First—It is contended that this vessel having been taken while engaged in the fishery on the coasts of Nova Scotia, has violated the territorial rights of Great Britain, and should therefore be condemned. And secondly—that having entered one of the harbors of this Province without any justifiable cause, she has infringed the laws of trade and navigation, which prohibit foreigners from trading with the Colonies, and has therefore incurred the penalties of those laws.

The Court is called upon in this case, during a period of profound peace, to enter into the consideration of a subject which involves the interests of a foreign nation, and to apply in their utmost strictness those general principles of abstract and universal law which are appealed to in questions between contending nations. It is presented to the Court in its most grand and imposing aspect, not as a collateral point growing out of private interests and arising out of considerations of municipal law, but as a direct and solemn question, in which the high and important rights of one nation are to be defined and supported, and the claims and privileges of another to be confirmed or annihilated. The violated rights of Great Britain are represented as seeking, in the dignity of insulted greatness, the protection of its sacred tribunals, and as claiming in the time of peace from public justice that defence which they have ever found in war beneath the arms of their brave defenders. Certain acts of the citizens of the United States are held up to the Court as the infringement of territorial rights, made under the pretext of privileges become obsolete and now unacknowledged; and the confiscation of property is demanded as the just and unavoidable penalty of the offence.

In this view of the subject it becomes one of the highest importance, and it will require the most serious attention on the part of the Court, neither to shrink from its duties from an apprehension of consequences, nor to exert its authority beyond its proper limits, from the influence of feelings which the subject may be supposed to excite. As it is the clear duty of the Court to take cognizance of all questions legally within its jurisdiction, and to administer the law to contending parties, so it is highly improper in it to entertain and determine those which belong to other tribunals, or which are not within the settled limits of its own authority.

The jurisdiction of the Court of Admiralty in former times was a subject of much controversy, and many very violent and unbecoming contentions have at different periods existed, as to the nature of the subjects to which its authority extended. Those discussions, which have so repeatedly laid open the subject to the investigation of the most able lawyers, have removed many of the errors which once prevailed, and little doubt can now be entertained as to the subjects of its ordinary jurisdiction. It will be necessary, however, for the satisfaction of those who have urged the Court to take cognizance of this subject, and to proceed to adjudication on the merits of this case, to consider, in the fullest manner, whether the Court of Vice Admiralty has within its ordinary jurisdiction any power to proceed to the adjudication of foreign vessels charged with the violation of territorial rights.

The Court of Admiralty takes cognizance of matters arising either within its *civil* or its *prize* jurisdiction. The Instance Court embraces all matters of a private nature, arising out of maritime affairs, but does not extend to subjects which grow out of a state of war, nor can it sustain questions in which the political interests of nations are involved. Without determining the precise boundaries of the Instance Court, which in many cases may, even at this day, be difficult to ascertain, as respects subjects of a private nature, it is sufficient in this case to shew, that the subject now submitted to it does not come within its jurisdiction. By the special provisions of an Act of Parliament, the important interests of trade and navigation are placed within its jurisdiction, and full power is given to confiscate the property of individuals found violating any of the positive regulations of British trade. Under those laws the interests of foreigners may be involved, and their property condemned, but all such cases are confined to  
private



## APPENDIX.

private interests, and the offences, as well as the consequent penalties, are expressly settled and defined by those very laws, with the violation of which they may be charged. This vessel has been seized by one of His Majesty's ships, under an order from the Lords Commissioners of the Admiralty, for fishing within the territory of Great Britain, and I am not informed of any municipal law which gives the Court cognizance of such a subject, or which could justify it in confiscating property so employed. It has been urged, that an order from the Lords Commissioners of the Admiralty having been given to the Commander in Chief of the North American squadron, to seize and detain all vessels found fishing within the British territory, this Court is bound to give effect to it by condemning this vessel and her appurtenances; but, however high the authority may be, from which such order may have emanated, and however strictly bound the Commander in Chief may be to carry it into execution, this Court must wait until its powers, as to matters of prize, are called forth in the regular and legal manner. That those powers are inherent in its commission, there can be no doubt, and it may be proper for me to state in what manner they are brought into full operation. In the first place, a commission, under the great seal of the United Kingdom, goes directed to the Lords Commissioners of the Admiralty, authorizing the seizure and detention of the vessels of any country, saving such exceptions as may afterwards be declared; and authorizing the same to be brought to judgment in any of the Courts of Admiralty within the dominions, which shall be duly commissioned; and the Lords Commissioners of the Admiralty are thereby authorized and enjoined to will and require the High Court of Admiralty of England, and also the several Courts of Admiralty within the dominions, which shall be duly commissioned, to take cognizance of, and judicially proceed upon all ships, vessels, and goods, as shall be seized and detained, and to adjudge and condemn the same, saving such exceptions as may be at any time after declared. In consequence of this commission, a warrant issues under the seal of the office of Admiralty, with a copy of such commission usually annexed, requiring His Majesty's Vice Admiralty Court at Halifax, (or whatever place it may be) to take cognizance of, and judicially to proceed upon all ships and goods that are or shall be taken within the limits of said Court, and to hear and determine the same; and according to the course of Admiralty and law of nations, to adjudge and condemn the same, saving always such exceptions as His Majesty may at any time be pleased to declare.

Thus the Court of Admiralty becomes fully authorised to take cognizance of and to proceed judicially upon all vessels seized *jure belli*, or under any orders His Majesty's Government may have deemed it expedient to issue. But until the Court receives authority to act through the regular and legal channel, it cannot undertake to administer the law as applicable to prize, and to settle the conflicting interests of nations. This Court cannot penetrate into the secrets of the British Cabinet, or ascertain what the political views of His Majesty's Government may be on this subject, but as no regular steps have been adopted to give the Court a power to proceed to adjudication, and to condemn these vessels, it might be inferred, that it was not the intention to confiscate them at present, but merely to detain them until further instructions should be given. It must be well known to those who administer the British Government, advised as they are by the most learned civilians of the age, that the Court of Vice Admiralty has not power in the exercise of its ordinary jurisdiction to take cognizance of subjects of such a nature. Uninfluenced, therefore, by any considerations, arising from the necessity or expediency of what has been proposed, and paying every respect to the order which has been produced, this Court will endeavour to perform its duty with firmness, within the proper limits prescribed to its jurisdiction, but will not allow itself to be led by any plausible view of the subject, into a vague, irregular, and unjustifiable exercise of its power.

That these opinions are not merely the result of my own unassisted deliberations, but that they are supported by the decisions of the most learned and able Judges, both of the civil and common Law Courts, I shall proceed in the next place to shew.

The first case I shall notice on this subject, is the *Curlew*, (*Stewart's Report*, 312) in which Sir Alexander Croke, in speaking of vessels detained in consequence of a declaration of war, but before any commission to condemn, uses these words "This then is property which has been seized and detained in consequence of a declaration  
of



## APPENDIX.

of war made by the United States against Great Britain, but before any orders have been given by His Majesty in Council for general reprisals, and before any commission had been issued to require this Court to *adjudge* and *condemn* such ships, vessels and goods, as shall belong to the United States." Again "Till the British Government has declared the subjects of the United States to be enemies, by its order for general reprisals, and by a *warrant to condemn* their goods, this Court cannot consider them as enemies' property. Even an order from the British Government to *seize and detain* vessels would not have that effect. That might be only provisional, and must depend upon subsequent explanation, having a retroactive power. Seizures made may be declared to have been only on the footing of a temporary sequestration."

How much stronger was that case than the one before the Court. The actual declaration of war, by the Government of the United States was followed immediately by all the violence of war; the treaty of peace between the two countries was violated and broken; the commerce of Great Britain was assailed and interrupted; and all those rights which are most valuable to a nation were infringed in the true spirit of national hostility: yet in that case, the Court could not condemn the property which was very properly seized by His Majesty's ships. In this case it is alleged that the citizens of the United States have violated the rights of Great Britain by entering its territory and fishing therein; and that, therefore, the vessels so found should be condemned. But if they had made an actual attack upon our shores, if they had captured and destroyed the property of British subjects both by sea and land, this Court would not be authorised to condemn until it should be commanded so to do by the Sovereign, in whom alone such power is reposed by the constitution of our country.

The next case I shall produce in support of my opinion, is that of the *Huldah*, (3d Rob. Rep. p. 235.) The ship was carried into Saint Domingo, and proceeded against in the Court of Admiralty. The Court there was properly constituted as a Civil Court of Admiralty, and His Majesty's instructions were addressed to it as a Prize Court, but by mistake, no *warrant* had been issued to give it a prize jurisdiction against *France* and *Holland*, although there had been a prize warrant against *Spain*. Sir W. Scott.—"In this case there is no imputation of misconduct; the captors went to a Court which was sitting at Saint Domingo, apparently with competent authority; in that Court he obtained a sentence of condemnation, and distribution has taken place in consequence of it; but that Court having no authority, those proceedings are null and of no legal effect whatsoever." Now at the time the Court of Admiralty at Saint Domingo was exercising a prize jurisdiction over the ships and goods of two nations, it could not extend that power to property belonging to another nation, although actual hostilities existed, and the vessels and goods of that nation were confiscated in other Courts duly authorised. The Court of Admiralty is not to look at the state of things between Great Britain and another nation, and to infer from the existence of hostilities, or from the orders issued to the naval commanders that its powers are called forth, and are to be exercised to the utmost extent. It does not sit to deliberate on the political relations of States, but to administer the law whenever it shall be so required. That the persons who have presided in the Courts of Vice Admiralty have often ventured beyond the limits of their jurisdiction, and assumed the exercise of powers with which they were not invested it is well known; but this Court will select higher examples for its imitation, and will not easily be led into those gross errors which often prove injurious to the interests of individuals, and always lessen the respect due to the tribunals of justice.

I shall mention one more case on this point which was determined by that eminent Judge, Lord Mansfield, a case in which the jurisdiction of the Court of Admiralty was very fully considered. In the case of *Lindo vs. Rodney*, Lord Mansfield speaking of the distinction of the civil and prize jurisdiction of the Admiralty, says:—"The Court of Admiralty is called the Instance Court, the other the Prize Court. The manner of proceeding is totally different. The whole system of litigation and jurisprudence in the Prize Court is peculiar to itself: it is no more like the Court of Admiralty than it is to any Court in Westminster Hall."

It is quite unnecessary to go farther into this subject. Here are the decisions of the most learned and eminent Judges, and they fully support the general position which I must assume, that the Court of Admiralty cannot in the exercise of its ordinary jurisdiction

## APPENDIX.

jurisdiction entertain any question which bears the character of prize. The first ground in this case is clearly of that nature. It is that this vessel has been captured by one of His Majesty's ships of war for the violation of the rights of Great Britain, and that such seizure was made under orders from the Admiralty. The whole question arises out of a proceeding of a *military* and not of a *civil* nature. And this it is that makes the distinction.

But it may be asked whether the orders thus issued to the naval Commander in Chief are to be rendered nugatory, and whether this determination is to operate to counteract the evident wishes and intentions of His Majesty's Government. To this the answer is plain. The Court has the power to take the custody of the vessel and to preserve it in the usual manner until the final determination of Government shall be made known, although it cannot proceed to adjudication upon this question. It can neither condemn nor restore. It is true no positive instructions have been sent to this Court to detain vessels of this description, but sufficient has appeared to it to authorise the regular exercise of its ordinary care in the preservation of the property. That I am correct in this opinion I shall shew by authority directly to the point. Upon the declaration of war by the United States of America, His Majesty's ships captured American vessels and brought them into the custody of this Court. At that time *no order* had been made to seize American property, nor had any instructions whatever been sent to the Court of Admiralty in this Province. Sir Alexander Croke (*Case of the Dart, Stewart's Report*, 301), under such circumstances, said "They may possibly be declared to be enemies in future, but their present situation is *ambiguous*." "Whilst this uncertainty continues, the Court cannot *reject* the claim of the parties or *condemn* their property. Neither in this state of semi-hostilities with the United States would it think itself justified in restoring goods." In the present case the Court is bound to take notice of the orders which have been issued to the Commander in Chief, and to give them an operation to a certain extent. They have been communicated to the Court, and feeling itself influenced by the high respect it will ever have for the distinguished officers to whom His Majesty may confide the command of his fleets, it cannot hesitate to hold the custody of such vessels as may be brought within its care. In another case Sir Alexander Croke recognised the orders which had been issued to *detain* vessels, and gave them the effect that I am willing to allow those to have which have been communicated to me. In the case of the *Zodiac* (*Stewart's Report*, 333), he said "If this was merely a claim as for American property, this Court would certainly not proceed to adjudicate upon it, because in the hostile or at least ambiguous state of the two countries, under His Royal Highness the Prince Regent's orders in Council to detain and bring into port all vessels belonging to the citizens of the United States, without giving any authority to condemn them—no property of that description could either be *condemned or restored*."

I have given to this subject the most serious attention, and have considered fully the ingenious arguments which have been pressed upon the Court by His Majesty's Advocate General; and I am perfectly satisfied that I should not be justified in exercising the powers which it has been contended this Court possesses. Did the case rest therefore entirely upon this ground, it would be my duty to direct it to stand over until further instructions should be given by His Majesty's Government; but another point has been submitted to my consideration which may render such delay unnecessary, and I shall proceed to state the reasons which I deem sufficient to support the judgment about to be pronounced.

The point now presented to the Court arises under the laws of trade and navigation, and it is contended that this vessel, her appurtenances, and every thing laden on board of her, are liable to confiscation, for having illegally imported goods, wares and merchandize into a port of this Province, she being a vessel not owned and navigated as vessels are required to be, to entitle them to the privilege of trading with the Colonies.

Questions arising under the laws made for the regulation of trade and navigation are not only clearly within the jurisdiction of this Court, but require its utmost attention and care, lest the ignorance or the arts of commercial speculators should interrupt the operation of a system framed for the greatest national purposes; and which has been found to realize the best hopes of those enlightened minds by which it was conceived and matured. It would seem unnecessary for me in considering a question,

## APPENDIX.

confined within the narrow bounds of a few clauses of an Act of Parliament, to take an extensive view of the whole system ; but as the Court is under the necessity of seeking the rules which are to govern it, in the construction of this particular act, from an enlarged conception of the general spirit of the whole system, it must take a comprehensive view of the great designs for which it was wisely contrived.

Those laws took their rise in the profound and enlightened views which experience had offered to the acute and reflecting mind of the true basis on which might be erected the fabric of a great nation. And however that system may have been extended and improved by the various alterations and additions which grew out of new relations and more complicated public interests, the same spirit which is manifest in the provisions of the earliest laws may be traced through every succeeding regulation. They rise to the contemplation of the human mind with a regularity at once clear and complicated ; and may be considered as a beautiful specimen of positive law, in which the profound and comprehensive speculations of political economy are admirably blended with the useful and practical regulations of mercantile experience. The wisdom of the policy which projected, and of the care which was constantly taken to render this system more perfect, was very soon discovered in the beneficial consequences which resulted to the nation. It was soon found that those admirable regulations were adapted to strengthen and enrich the mother country, while they gave a permanency of character to her distant possessions, which must have been entirely lost in the confusion of a loose and unrestrained commerce. As this system advanced to that perfection in which we now find it, those nations whose interests seem to have been neglected in the promotion of our own, did not fail to discover what they affected to consider a narrow and illiberal feeling, inconsistent with those dignified and generous sentiments which should always govern the policy of nations. But while Great Britain increased in national greatness and commercial prosperity, she viewed the envy and jealousy of other nations merely as a powerful confirmation of the wisdom of her plans.

Those laws form a code which it is the duty of this Court to guard from the slightest violation ; their importance cannot be fully estimated, and they, whose minds are too limited to trace the progress of our national prosperity in the rigid execution of them, might be awakened to a sense of their value by the rapid decline of our greatness, which would be the consequence of their relaxation. In viewing the subject in this light, the first object that strikes the mind is the great design of confining to British subjects, as far as it could possibly be effected, the commerce of the British Colonies. For this purpose no goods, wares or merchandize can be imported into or exported from the Colonies, unless in British built vessels, owned by British subjects, and navigated by the master, and three-fourths of the crew subjects of Great Britain, under pain of forfeiture of ship and goods. This part of the law is as clear as the plainest terms can make it, but were the Court to adopt a construction, which should be restrained to the very precise meaning of the words, the spirit of this law as well as of the whole system would be violated. If it should be said that the word *imported* means the actual landing of goods, wares or merchandize, and that no penalty could be inflicted, except in a case where that fact was positively proved ; or that if the owner could make out by the evidence of himself and crew, that no articles were landed from the vessel, she ought necessarily to be restored ; it would follow that a foreign vessel might enter the harbours of a Colony or Plantation without permission, and remain there until a suitable occasion should offer to land her cargo. But this construction would be evidently in opposition to the true spirit and meaning of this clause, and would render useless and unavailing every provision of the laws of trade and navigation, which are clearly founded in the design to *reserve* the privileges of trade to British subjects, and to *exclude* foreigners from participating therein. I cannot conceive two ideas more inconsistent with each other, than a law positively declaring that foreigners shall not trade with the Colonies, and at the same time a loose permission to enter the harbours of those Colonies, and to continue there while it may suit their own convenience or favour their own views.

It has been contended that the presumption which arises from a vessel's entering an interdicted harbour, namely, that she came there with an intention to trade, may be overcome by shewing circumstances which prove that no such intention existed ; and that if for instance, it were made out to the satisfaction of the Court, that the vessel

was

## APPENDIX.

was merely in *ballast*, the presumption of her importing goods, wares and merchandize would be completely destroyed, and she ought to be acquitted. But it should be remembered that the laws which prohibit the importation of goods make the *exportation* equally penal; and if vessels were allowed to enter the harbours of a Colony in *ballast*, what protection could be given to the lawful trade of British subjects? Would not such permission throw open the ports and harbours of this country to the free trade of every American vessel? Under such a vague and preposterous construction of this wholesome and rigid system of laws, it would only be necessary for a foreign vessel to lie at anchor in our harbour until an opportunity offered to ship goods for exportation, which might be done without fear of interruption in almost every harbour of this Province. To prevent the certain consequences of such a construction, it would require every inhabitant of this Province to be a custom house officer, and to be employed day and night in preserving the trade of the country from the monopoly of the enterprising adventurers of the neighbouring country. It is well known that even the most rigid execution of the laws of trade is not sufficient to deter the eager speculator from engaging in the commerce of these Colonies. The contiguity of the harbours of the two countries makes it almost impossible under every restraint that human laws can impose, to prevent a system of smuggling, destructive of the interests of the honest British merchant, and productive of the most pernicious consequences;—in weakening the sense of the moral obligation of the laws, and in tempting the inhabitants of this Colony to blend their interests with those of the depraved and lawless adventurer, rather than to strive by an honest and grateful allegiance to uphold the nation which protects them. Shall this Court then declare by its solemn decisions, that the laws allow such an entry into the harbours of this Province? Shall it say it is prohibited that you should import and export goods, but you may come as harmless and quiet people to view the beauties of the surrounding scenery, and to pass your time in inoffensive indolence.

It has also been advanced as a doctrine to this Court, that although these principles may be applicable to vessels ostensibly equipped for trade, and which are constantly engaged in commerce; yet they ought not to be carried into rigid effect against vessels of a distinct character. And an exception has been made in favor of vessels manifestly fitted out for the fishery, and which could not be supposed to have commercial objects in contemplation. But so far from considering vessels of this description as entitled to any particular favor, or to which a relaxation of the laws might be made without any dangerous consequences, they are to be viewed with more caution by this Court, and to be watched with more jealousy by officers of the customs than those whose character is more open and unequivocal. These vessels it is said leave their own ports without a cargo, ostensibly bound to their fishing stations, and as such cannot be considered as objects of suspicion; but under the sanction of such impolitic liberality, they would no doubt avail themselves of the opportunity afforded to them of landing goods in such ports as they may be allowed to enter. A vessel avowedly engaged in trade, necessarily becomes an object of immediate attention to those who are entrusted with the execution of the laws; but a little, and apparently an insignificant vessel may, from the very character she assumes, be the most dangerous enemy to the system which this Court is bound to protect. To give full efficacy to every regulation which the laws have prescribed for the trade of this Colony is one of its highest duties, and it is essential to the great objects thus entrusted to it, that every barrier which the words and spirit of the laws will permit, should be raised around them, and that a narrow verbal construction should not operate to defeat the evident intention of them. In extending the penalty of those laws to vessels entering the harbours of this Province without a justifiable cause, I find myself supported by the very highest authority; and I shall proceed in the first place, to consider the various cases in which I think this doctrine may be found; and then I shall take a view of the circumstances of the case before me, and of the grounds upon which the claimant has attempted to justify the entry into a harbour of this Province.

The first case I shall notice under this head, is that of the *Eleanor*, Hall, master. (*1st Edward's Reports*, 135.) That vessel was condemned in this Court, while Sir Alexander Croke presided in it, and the case went before Sir William Scott by appeal. The principal ground of condemnation, and upon which, likewise, the sentence was confirmed

## APPENDIX.

confirmed by the High Court of Admiralty, was, that the vessel having a *foreign character*, entered the port of Halifax in distress. Sir William Scott—"It is I presume an universal rule that the mere act of coming into the port, though without breaking bulk, is *prima facie* evidence of an importation. At the same time this presumption may be rebutted, but it lies on the party to assign the other cause, and if the cause as assigned turns out to be false, the first presumption necessary takes place, and the fraudulent imputation is fastened down upon him." The second case is that of the *Dart*, Ramage, master. (*Stewart's Reports*, page 301.) She was an American vessel, seized by the collector of this port for an importation into this Province contrary to law. Sir Alexander Croke—"Nothing short of a necessity can justify his entering the port of Halifax: it was his own voluntary act. The original voyage might have been completed, which was to Philadelphia; it was matter of choice, of mere prudence to fly from the embargo to Halifax. Entering the port *prima facie* is an importation unless it can be justified. It cannot be explained a way by any *illegal* design. To take in provisions not from necessity is an exportation and contrary to law." The third case I shall mention, is that of the *Patty*, a vessel condemned in this port for having entered without a justifiable cause. (*Stewart's Reports*, 299.) Sir Alexander Croke thus expresses himself—"A necessity to justify the breach of a law must be an immediate natural necessity, not a mere remote moral necessity. It must be an imminent danger of perishing." Besides these cases which are as clear and as much to the point as it is possible, it is well known that by the statute law of Great Britain *foreign vessels* are not allowed even to hover about the shores of these Colonies; and that if found within a specified distance after a warning to depart they are liable to confiscation. So far, therefore, from any loose permission to enter the harbours of this Province, *with or without a cargo*, being consistent with the words or spirit of this general system of laws, foreign vessels are not allowed to approach within two leagues of the shores. The hovering Act as it is called, was made to establish a greater degree of strictness in the execution of the laws regulating the plantation trade than had been observed, and strengthens the position which I think it necessary to take in this case.

If we look to the decisions which have been made in cases of blockade, we shall find the principles which are applicable to vessels entering an interdicted port, much more rigid than any this Court has yet advanced for the protection of the colonial trade. The mere circumstance of the vessel's sailing towards the blockaded port with an *intention* to enter it will work the forfeiture: neither is she permitted to enter such port *in ballast*, or for the supply of water. In the case of the *exchange* (*1st Vol. of Edw. Reports*, page 42), Sir William Scott says, "If it were once admitted, that a ship may enter an interdicted port to supply herself with *water*, or on any other pretence, a door would be open to all sorts of frauds, without the possibility of preventing them." In the case of the *Comet*, (*1st. Edward's Reports*, 32,) the same great man observes, "It has not been contended that a ship may enter a blockaded port *even in ballast*; that is a point upon which this Court has already decided, if wrongly, the decision must be corrected elsewhere." Now I consider the ports of this Colony as interdicted, and that according to the true spirit and meaning of the whole system of laws, foreigners cannot *enter* the same without some reason that may be held sufficient to relax their strictness. It is notorious that the harbours and ports of this Province afford the greatest facility to smugglers; the small number of their inhabitants, and the want of officers of the customs are circumstances which render more caution necessary in this country than might be found requisite in Great Britain. I shall therefore consider myself bound to adopt those principles which are applied to cases of this nature in their utmost rigour, and shall now proceed to consider the facts of this particular case, and to examine whether the causes assigned for entering a harbour in this Province are sufficient for her justification.

It is admitted by the claimant that this vessel entered Pope's harbor in the Province of Nova Scotia, and it will be necessary to consider the facts of the case under two heads; first, as to the cause of her entering that port, and secondly, whether any thing was landed or taken on board while she remained there.

The master of the vessel has given his testimony to both points; to the first he says "They went into Pope's harbor, the weather was thick, and when they made the land they found themselves nearer than they expected, and being scant of water they went into

## APPENDIX.

into that port for the purpose of getting some, and with no other intention whatever," and yet to the very next question almost he answers "They had abundance of provisions, stores, bait, wood and water for the voyage, at the time they left their own port, and were not apprehensive of any deficiency whatever of any of those articles." This account, as respects the cause of her entering the harbour, is confirmed by another witness, with the addition that there was a deficiency of wood.

To the next point as to what was landed or taken on board, the master declares—"They did not land or put on shore a single article of any kind except the water casks, which they filled. They did not receive on board any articles whatever except two dollars worth of bread, which he bought of one of the inhabitants of Pope's harbor;" again "neither himself or any person on board either bought or sold, bartered or exchanged, any article or articles of any kind or description whatever, except the two dollars worth of bread he has already spoken of." Another person belonging to the vessel, says to this point, that a quantity of wood was taken on board in their own boat. James Whidden, a midshipman of His Majesty's ship *Saracen*, who has released all his interest in the event of this cause, and comes before the Court both as a competent witness, and as one to whom the highest credit is due, has given his testimony in these words—"That he understood from the crew that they had procured some wood, and that if they should stand in need of it they expected to supply themselves with wood and water from this coast." "They informed him they had been in at Pope's harbor, and sold some boots for which they had not got payment." How such contradictions are to be reconciled I shall not stop to inquire; sufficient appears to the Court to shew that this vessel entered a harbor of this Province, and took certain articles on board, and that, if it were essential to the prosecution in this cause, a traffic to a certain degree was actually carried on. It remains to consider the defence which the claimant has thought proper to set up to justify such proceedings.

A claim has been filed, to which is annexed an answer to the allegation under the oath of the master. In this answer two grounds of defence are taken quite inconsistent with each other. In the first place it is said that actual distress, arising from the want of water, obliged them to enter the harbor, and that they did *not* claim a right to approach the coast or to enter the harbors, bays, rivers or creeks of this Province, under pretence of fishing or for any purpose connected with the fishery. In the second place it is boldly asserted, that as citizens of the United States, they have a right to engage in the fisheries on the coasts and in the harbors of this Province.

The liberality which was always extended, by the eminent Judge who so long presided in this Court, to parties whose interests were committed to its care, and the indulgencies which he granted to practitioners as to the forms of legal proceeding, will not allow me on this occasion to restrict the claimant in making his defence as he may be advised; but I wish it to be understood that the proceedings must not assume a character which can only tend to perplex the Court, and to prevent the only object which parties can be permitted to seek in Courts of Law, the administration of justice through the medium of unperverted truth. And I must confess that this defence presents to the Court a confused picture, in which the interesting colors of distress are awkwardly thrown over the obscure and almost faded outline of rights, once clear and acknowledged. Such as it is, however, I shall consider it, and this foreigner shall not be permitted to say that he was refused to be heard by a British Court on every point he pleased to assume, and in every way in which he thought justice might be attained.

The first ground then is, that this vessel came into a harbor of this Province in distress, and without any pretence or right sought that relief from the inhabitants of this Province which the people of the United States, in a recent instance, had most generously and nobly extended to the inhabitants of a British Colony. And most assuredly if a case of real distress is made out there is an end forever of this question. It must be buried in those feelings which I trust will ever be dear to this Court, and in the exercise of which it would hope to derive more satisfaction than can ever arise from the rigid execution of the laws. Real distress is a passport even through the savage land; it appeals at once to sentiments universally felt; at its approach the rigour of law is softened, and the violence of war becomes composed by the sacred influence of humanity. And where can unaffected calamity seek a refuge if it is denied on a British shore? Intrepid in the defence of its rights and lenient in the exercise of them, Great Britain requires



## APPENDIX.

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not its harbors to be closed against the stranger who seeks a shelter from the tempest, or who asks the supply of those deficiencies which unavoidable necessity may have created. The private contributions of that country have cheered the hearts of the afflicted in almost every land, and its public treasuries have been exhausted in yielding protection to every nation, whose people sought an asylum either in its bravery or its resources. As a British Judge, therefore, I receive with every disposition of kindness this ground of defence ; but let it not be a garb assumed by artifice to deceive and mislead. While I am ready to acknowledge the interesting features of distress, I am vigilant to detect the subtle contrivances of art. Now what is the truth of this case. That this vessel was in any serious distress cannot be pretended. That she might have wanted a little water is very possible, but it must be made out to this Court that the deficiency did not arise either from design or from an unjustifiable neglect ; and let it have arisen from whatever cause it might, that it was such as to place the crew in imminent danger of perishing. The master says that they *found* themselves nearer to the land than *they expected*, which shews that his distress was not such as to have forced him to seek a harbor. He expresses his distress to arise from his water being scant, but he does not say that any inconvenience had been experienced, or that he could not have prosecuted his voyage. Besides vessels are bound to have a sufficient quantity of water and provisions on board for the voyage in which they are engaged, and it would be absurd to suppose that a scarcity of water, arising out of neglect, or what is more probable, design, can operate to supersede the laws, and throw open British ports to any adventurer who may wish to evade the regulations of British trade and navigation.

The evidence on this and other points is extremely contradictory. One says that vessel could carry on a fishing voyage without going into any harbor, and another says it would be impossible without the privilege of putting into some of the British ports for wood and water, and it is in evidence that they informed the midshipman that they expected to supply themselves with wood and water from the British coasts. One of the witnesses expressly swears that they had a full supply for their voyage, but that *one* of the barrels of water proving bad they put into Pope's harbor to get a fresh supply ; also that a ten gallon cask of water was spoiled by being put into an old *gin* cask. Now it would be beneath the dignity of a Court to spend time in commenting on such evidence as this, brought forward to support a point which always requires to be made out in the most satisfactory manner, and in the proof of which such strictness has always been observed. Nothing could have induced me to give the attention I have done to it but a great anxiety that this subject, which has already excited much public interest, should be thoroughly investigated, and that not only the principles of law but the facts of the case should be presented to the world in the clearest point of view.

I shall conclude my observations on this point of the case with the words of a Judge, (*Sir W. Scott*) whose decisions are not only studied by the lawyer, as the sources of profound instruction, but are read with interest by the enlightened and accomplished scholar as the finest exercises of the human intellect. "Where the party justifies the act upon the plea of distress, it must not be a distress which he has created himself by putting on board an insufficient quantity of water or of provisions for such a voyage ; for there the distress is only a part of the mechanism of the fraud, and cannot be set in excuse for it ; and in the next place the distress must be proved by the claimant in a clear and satisfactory manner. It is evidence which comes from himself, and from persons subject to his power, and probably involved in the fraud, if any fraud there be, and therefore it is liable to be rigidly examined."

The last point which is to be considered by the Court is a right which has been set up by the claimant to enter the ports and harbours of this Province, and there to cure the fish which he may have taken in the course of his fishing voyage. And certainly if such a right exists, the principles of law which I have laid down with so much care will not be applicable to this vessel unless proof shall have been made of an *actual trading*. Because it would not be consistent to permit foreign vessels to enter these harbours for a certain purpose, and then to make that entry a ground upon which to raise the presumption of illicit trade. This right is asserted to belong to the citizens of the United States, under the treaty of peace entered into between His Britannic Majesty and the Government of that country in the year 1783 ; and it is contended in the first place that a right to take fish on our coast, and in our harbours and bays, and to cure the same

on

## APPENDIX.

on the shores of this Province, was *absolutely acknowledged* and *given* by the third article of that treaty; and in the second that admitting the treaty granted only *a privilege* to do so, that such privilege still exists because the treaty itself has not been annulled. This question now presents itself in a way which obliges the Court to enter into the full consideration of the right here asserted; for although it has already determined that it cannot take cognizance of it as a direct charge against this vessel, having no authority so to do, yet as it becomes essential to the determination of the second point in this cause, as it arises incidentally out of the consideration of the municipal laws of the country, and as it must be entertained in order to do justice to the parties whose private interests are involved, it is its duty to sustain it, and to place it in such a point of view as may put an end to those doubts which some have affected to indulge on this subject. It might be sufficient for me to say on this point that His Majesty's Government having determined that the privileges granted to the citizens of the United States by the treaty of 1783, to carry on the fishery upon the coasts of this Province, and to cure fish in the harbours thereof had ceased; and that determination having been made known, it would not be necessary to consider this right as entitled to any attention. But as it will require but little reasoning to show the weakness of such pretensions, I shall take a cursory view of the grounds upon which this extraordinary right seems to have been placed.

It will not be requisite for me in this case to enter into those general considerations of the rights of nations to a dominion of the sea which have occupied the attention of the Gentlemen of the Bar. Very able writers on abstract law have differed, both as respects the right of dominion over particular parts of the sea, and also as to the distance from the shore over which a nation holding the land might exercise the rights of sovereignty. When these important points shall be submitted to the Court in a way which will render it incumbent on it to determine them, it will not shrink from so arduous a task, neither will it despair of placing them on grounds which may find their support in the sound principles of general and universal law; principles which flow from the reflections of enlightened reason, corrected and confirmed by the usages and customs of the civilized world. It will hope that those contradictions which may have been observed in the best writers are to be reconciled by an attention to the characteristic circumstances of the different ages in which they thought and wrote; and by an allowance for the influence which the fluctuating relations, the jarring interests, and the various modifications of the claims and pretensions of nations cannot fail to produce upon the most reflecting mind. Much of that difference found amongst writers of this description may be traced to the prevailing public sentiment, to national prejudices, and even to the eccentricity of individual opinion. But whatever the difficulties are which those great questions might present, they do not meet the Court in this case. It is only necessary, in order to see the simplicity of this point, to read the article of the treaty on which the claim is founded, and to determine whether that treaty exists at the present time. The words of the third article of the treaty are:

“It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand bank and on all other banks of Newfoundland, also in the Gulf of Saint Lawrence, and at all other places in the sea where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have *liberty* to take fish of every kind, on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of His Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova Scotia, Magdalen islands and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.”

Now it is impossible to imagine words more clear than those. Two objects seem to have been in view—the first was the fishery on the Grand bank, in the Gulf of Saint Lawrence, and other places in the sea; and the second was the *privilege* which was intended to be granted to the people of the United States to take and cure fish on the coasts, and in the bays, creeks and harbours of the British dominions in North America.

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## APPENDIX.

It would seem that the intention of the British Government at the time was to acknowledge an *absolute right* in the people of America to fish on the Grand bank of Newfoundland, in the Gulf of Saint Lawrence, and other places in the sea; but the Court is not called upon in this case to determine that point. As respects the latter part of this article it would be confounding all ideas of common sense, and throwing obscurity over the ordinary perspicuity of language, to contend that the word *liberty*, here used, can be conceived to convey an *absolute unqualified* right. That it was received as a privilege at the time, and has been exercised as such until the late war cannot be doubted. By accepting such privilege that Government acknowledged the right to exist in Great Britain, and the only question left for the slightest consideration is whether that treaty is now in force or not?

It has been ingeniously argued on the part of the claimant in this cause that the treaty of 1783 is now in force, because the late war being for a cause entirely new and distinct from the subjects of contention which were terminated by that treaty, the declaration of war by the United States was not a violation of any of its articles. And the words of some eminent writers would seem to support such a doctrine; but a little attention to this subject will explain the grounds upon which the true and sound doctrine firmly rests. Grotius, book 3, cap. 20, section 27, has these words "It is also a daily dispute when a peace may be said to be broken, which the Greeks call *Paraspondema*: for it is not directly the same thing to give a *new* occasion of war and to break a peace. But there is a great difference between them as well in regard to the penalty which the breaker incurs as with respect to the liberty of the injured party to disengage his word in the other articles of the treaty."

In a note however to these words the principles as received in modern times, and the reason upon which they are founded, are clearly laid down and explained. "When a new occasion of war is given in this manner the treaty of peace is thereby broken indirectly; and with regard to the effect, if satisfaction for the offence be refused. For then the offended having a right to take arms in order to do himself justice, and to treat the offender as an enemy against whom every thing is lawful, he may also undoubtedly dispense with observing the conditions of the peace, though the treaty has not been formally broken with regard to its tenor. This distinction can scarce be of use in these days, because treaties of peace are conceived in such a manner that they include an engagement to live in amity for the future in all respects, so that the least occasion of war how *new* soever it be may be deemed an infringement of the most important articles of the treaty. It will be found that the treaty of 1783 contained an engagement that there should be a firm and *perpetual* peace between the two countries, and that such engagement was violated by the declaration of the late war no human being can be permitted to doubt. I am therefore bound to declare that the treaty of 1783 and all the privileges depending thereon have ceased.

I have now fully considered the grounds of defence in this case, and as I do not perceive either truth in the distress or strength in the right set up by the claimant, I feel myself compelled to pronounce this vessel and the goods laden on board of her to be liable to confiscation for a violation of the laws of trade and navigation.

In pronouncing this judgment, I derive a consolation from the reflection that my errors may be corrected by an appeal to one of the most upright and learned Judges the world ever saw. From the decisions of that tribunal I have humbly endeavoured to draw the principles which should govern me; and I trust that when the solemn scrutiny to which this decree is open shall be made, it will be found that while my labours were directed by a sacred regard to the interests of an obscure and indigent foreigner, I did not forget the rights and claims of every British subject, nor relax by a feeble construction that noble system of laws upon which the wisdom of ages had reared our national prosperity and greatness.

### No. 2.

*The following circular with the subjoined interrogatories was addressed to various persons thought most competent to afford information on the subject of the inquiry by the Committee:—*

SIR—The Committee appointed by the House of Assembly to define the true meaning of

## APPENDIX.

of the treaties now in force regulating the fisheries of Nova Scotia, to inquire into the state of that branch of industry, and to take evidence relating thereto, being desirous to obtain every information previous to their report on these important subjects, respectfully request answers to the following queries, marking your reply to each question with the number to which it refers; and stating also whether your opinion is founded on facts within your own knowledge, or is the result of general knowledge and experience acquired in the course of business. The Committee being desirous of reporting speedily, request answers as soon as possible. It would add to the weight of the evidence if the facts should be verified on oath.

Your obedient servant,

JAMES B. UNIACKE, *Chairman.*

*Assembly Room, Provincial Building, 20th February, 1837.*

No. 1. What is your profession? Have you any knowledge of the fisheries and commerce of this Province, and how long have you been engaged therein?

2. Have the fisheries and commerce of this Province been injured by the operation of the definitive treaty of peace concluded in 1783, between His Majesty and the United States of America? Specify particularly how and in what manner that treaty has been prejudicial to the commercial interests of this country?

3. Set forth how and in what manner the fishery carried on from the United States operates to the disadvantage of the British fisheries in North America.

4. Have you any and what knowledge of the fisheries appertaining to that part of the coasts of Newfoundland, the Straits of Belleisle, Labrador shore and Magdalen islands, upon which a right to take and cure fish under certain restrictions has been ceded to the people of the United States under the convention concluded at London, October 20th, 1818, between His Majesty and the United States' Government? State your knowledge, how obtained or acquired, and make an estimate of the value between the fishery granted by the convention to the United States and that still retained by Great Britain in North America, comparing them.

5. Have the citizens of the United States violated the terms of the convention by encroaching on the fishing grounds, still exclusively retained by Great Britain? Describe how, when, and in what manner.

6. Do the American fishermen catch bait on the shores of this Province and purchase bait from the inhabitants, and what is the effect thereof?

7. Do the people of the United States frequent the shores of Nova Scotia and conduct their fishery within three marine miles thereof? Do they interfere with the net fishery on the shores? Do they by artificial means raise shoals or schools of fish within three marine miles of the shores of the Province by means of bait prepared for the purpose, or by any other means, and lure them beyond three marine miles into deep water, and what is the operation of such system on the shore fishery?

8. Do the people of the United States enter the harbours, bays and creeks of Nova Scotia, trade with the inhabitants and barter goods and merchandize for fish, and do they by such means supply the inhabitants with contraband and foreign commodities, and smuggle to a great extent? Answer fully to this query, and how the Provincial revenue is affected thereby.

9. Is there any and what net fishery, and to what extent carried on from this Province beyond the limits of three marine miles from the shore? Is not a fishery of some importance prosecuted on the shores of islands belonging to Nova Scotia within and beyond three marine miles of the shores thereof; and when the Americans come within the head-lands, keeping three marine miles from the shores in the bays and harbours, are they not in the midst of the net fishery?

10. Do the Americans and the people of Nova Scotia differ in the construction of the treaty of 1818? The latter asserting that the former have no right to approach the shores of Nova Scotia nearer than three marine miles from the most projecting headlands, and then only for shelter, and to purchase wood and water; provided they have sailed from their own country fully and efficiently equipped for the voyage—and the former claiming and exercising much more extensive rights.

11. Has the permission granted to the American fishermen to take fish within three marine miles of the shores of this Province, and their system of jigging and catching

## APPENDIX.

catching them, operated in any respect, and how to the prejudice of the British fishery?

12. Does the American Government or the Government of any particular State, allow any and what bounty to encourage the cod, salmon, mackerel and herring fisheries? Is such bounty allowed on salt, tonnage or catch?—Does the American Government impose any and what duty on the productions of the British fisheries, when imported into the United States?

13. Where are the best markets for the produce of the British Fisheries? Does the United States afford a good market for the same?

14. Do you consider that American fishermen have a right to pass through the Gut of Canso under the convention of 1818? Can they so pass without being within three marine miles of the shore, and approaching the most important fishing stations of that part of the Province?

15. Can you speak as to the value of the salmon fishery on the coast of Labrador, and to what extent trade is carried on with the natives of that country in furs, skins, feathers, oil or any other commodities. Please to set forth particularly what you know on these subjects.

16. Describe how the fisheries on the coast of Labrador is carried on, whether in boats or decked vessels, and at what distance from the land.

17. Do you know whether American or British fishing vessels are outfitted and navigated at the cheapest rate? State the comparative expenses, so as to shew in what manner the advantages appertain to either side.

18. Have you known any and what instances in which British fishermen have been forcibly prevented by the American fishermen, or citizens of other nations, from carrying on their fishery? State what you know as to any violence offered to British subjects on their own shores, or at sea, by those people.

19. Are you aware of any means by which the American fishermen can be prevented from usurping rights and privileges on the British shores, differing from those ceded to them by the convention of 1818? Set forth particularly what system will be most efficient—would the employment of steam boats or fast sailing cutters be useful, and which of the two in your judgment would be preferable?

20. Have the British fisheries and commerce suffered more from the convention of 1818, than under the treaty of 1783? Can you make any comparative statement of the difference in operation?

21. Turn your attention generally to the subject of this inquiry, and state any matter relative thereto, which may not have been set forth, and particularly explained in your answer to the foregoing queries; and state your opinion of the evil resulting already, and the consequences to be apprehended, if some prompt measures are not adopted to protect the inhabitants of the Colonies in the enjoyment of their natural and inherent right of fishery.

22. If the British Government does not enforce the convention of 1818, would it not be more beneficial to the inhabitants of Nova Scotia to permit the Americans to reside and form establishments in the Province, and conduct the fishery from the shores thereof—they reciprocating such privileges, and allowing the produce of the British fisheries to be imported into the United States duty free?

*To which interrogatories the following answers were received from various persons to whom such circulars were addressed.*

1. A merchant.

2. By what is called lee bowing—viz. running to leeward of the British vessels who are in the midst of a school of fish—causing the windward vessel the search for another with the uncertainty of finding and raising it; also by throwing overboard the gurry of their large fish. Where the Americans do not fish within the prescribed limits, they keep the gurry of some days fishing on board, until there is what is called a slack in fishing, by storms, &c., then they run in shore and throw it overboard; sometimes this is where the boat fishing is carried on. It immediately follows that at this place no fish is taken for some time afterwards. Also by running along shore at night, and taking whatever fish are in the nets of the inhabitants, who are thereby deprived of bait for boat fishing next day.

## APPENDIX.

5 and 6. Answered above.

7. Large number of American fishermen were in Saint Mary's Bay last season for many weeks—was said at the time that they were sailing as Grand Manan fishermen; and where they did not resort to this disguise they were commanded *pro tem* by persons hired from the shores along the Bay.

13. The Mediterranean and West Indies.—In 1836 the United States was a good market for pickled fish.

17. British vessels were in 1836 fitted out at least expense—hired wages and salted provisions and salt were much less in the western part of Nova Scotia than in the United States.

19. Seizure (by any person having authority so to do) where the treaty is violated would have the effect of keeping American fishermen within their prescribed limits. The seizures made by His Majesty's sloop *Wye*, in the year '18, in the Bay of Fundy, had the effect of driving them off for many years succeeding.

22. A doubtful measure, and requires so much consideration that I am at present unable to answer it.

JAMES H. F. RANDOLPH.

1. I have been engaged in ship building, navigation, fisheries and commerce for some thirty years.

2. The treaty of 1783 has been highly prejudicial to the fisheries and commerce of this Province generally. The Americans throw over their garbage, to the destruction of our fisheries in the Bay of Fundy. They come in of nights, set their nets outside ours, watch them by night, take bait themselves, and prevent the fish coming into our nets, and barter their notions with our shoresmen and boat fishers for their fish. They claim a right to come in of Saturday night and remain till Monday morning, which gives them two nights to take bait—agree with the inhabitants to set their nets on shares, and communicate respective wants and wishes by the sounding of horns. These fishermen have occasionally been detected with pretty good assortments of dry goods and groceries; and they doubtless carry on smuggling in a greater or less degree in every part of British America to which they are admitted.

3. See No. 2.

4. Have been master of my own vessel on the coast of Labrador, where the Americans, by having first arrived and taken possession of the best fishing harbours to the exclusion of our vessels, of course had a very decided advantage over our vessels. And in comparing their bills of *outfits* with mine they appeared to have the advantage by about *one third*.

5. The citizens of the United States are continually violating the terms of the convention of 1818, by their encroachments on the fishing grounds still exclusively retained by Great Britain.

6. The Americans have no hesitation either in taking bait with their own nets on our shores and in our harbours by night. In fact in our more obscure harbours where the inhabitants are unable to protect their nets, the Americans take them up and set their own in defiance, stoning them and their houses; strong complaints of such conduct have been forwarded to the Provincial Secretary by the inhabitants of Petite Passage, through the Colonial officer (Mr. Morton), Digby.

7. The people of the United States do frequent the shores and harbours of Nova Scotia, and fish within *one* mile of the shores—having their nets for bait fastened to their fishing boats. For the two last seasons schools of mackerel have run in quite to head of Saint Mary's Bay, some thirty or forty miles within the headlands—it being from one to three miles wide—and the Americans pursued and took them in defiance of our fishermen and inhabitants, and loaded several vessels with them.

8. The American fishermen occasionally bring quantities of dry goods and groceries to the injury of our commerce and revenue. The Colonial officer, Digby, has made a number of seizures.

9. We have no net fishery in this part of the Province beyond our harbours.

10. People of Nova Scotia differ very widely from the Americans as to the treaty of 1818, as even the best disposed of the latter claim a right to approach our shores and set their nets for bait, &c.; enter our harbours and procure bait in a friendly way of whomsoever they may be able to obtain it; neither do the Americans calculate their  
*three*

## APPENDIX.

*three* marine miles as being beyond a line from the *head* lands—but as *beyond* a line *curving* and *corresponding* with the *shores*, and the Americans are also in the habit of evading that treaty, and of coming into our harbours whenever they please, and for whatever purpose they please, by just allowing their water to *leak* out.

11. Great and many are the complaints against the Americans' practice of *jigging* fish, as in consequence many are wounded and die, and the shoals are broken and dispersed, and even the treaty itself, however strictly fulfilled, would be quite ruinous enough to our fisheries.

12. The American Government give a bounty both on *tonnage* and catch, and impose a duty on our fish.

13. The *last* season the United States offered a good market for our fish. Should generally suppose that South America and the Mediterranean would afford a better.

14. Cannot conceive that the Americans have a right to pass to Gut Canso, as they cannot do so without infringing the treaty in a greater or less degree.

15. Cannot speak with accuracy as to the salmon fishing on the coast of Labrador.

16. The cod fishery at Labrador is carried on in boats at from one to ten miles from where the vessels anchor, and at from ten rods to a mile from the shore, as the caplin bait may abound and press on the shores.

17. The American vessels are certainly fitted out at less expense than ours.

18. Violence has occasionally been offered by the Americans to our people, more particularly at the Petite Passage, Digby Neck, reference to No. 6.

19. Certainly should consider a steamer by far the most eligible and efficient means of protecting our fisheries and commerce from the encroachments of foreigners of every description.

20. I humbly conceive our fisheries have suffered more from the convention of 1818 than the original treaty 1783; both however are unpardonably bad; in fact how can available treaties ever be made with those *fish* *hawks*. They are perfectly acquainted with the resorts of all the fishing tribes, and know when and where to pick for them—and in point of position enjoy such decided advantages; for while our baymen have to sail round the compass to make Canso, they just start from their different ports with flowing sheets, and make a straight course of it. They just follow the different schools into the bay, set their nets along the shore from the entrance to Scotch Bay, cross Digby Neck in a sociable way, walk over to Saint Mary's, and take bait out of the wears when wanted.

21. If some prompt and speedy measures are not resorted to for the protection of our natural and inherent rights of fishing, it requires not the gift of prophecy to foresee the utter destruction of that valuable branch of our commercial wealth and Provincial revenue.

22. It would require a wiser head and an abler pen to suggest the best means of adjusting the many difficult questions of the fisheries with our American neighbors, as all the grounds for the protection of our natural and inherent rights which the British Government have hitherto attempted to set up in our behalf have proved perfectly futile and unavailable. What then can be done? If a door is once opened for their *free* admission, should we not speedily be crowded to suffocation—and could that door ever be shut again—and where would it end—and what would be the consequences; we would all very sincerely and ardently wish to promote the present cordial good feelings—still to purchase their friendship at the expense of our own existence would be paying dear indeed. Should the case be clearly and kindly stated to the American Government, and their assistance respectfully requested in aid of our *prudent* but *firm* and *persevering* *determination* to protect those native and inherent rights, perhaps it might prove effectual.

I have the honor to be, Sir,

Your most obedient and humble servant,

THOMAS SMALL.

*Answers to sundry questions of the Committee of the House of Assembly for inquiring into the state of the fisheries, and the encroachments thereon by the Americans and others—*  
by JOHN BARSS, of Liverpool.

*Answer to first question.* I am by profession a merchant, and have been engaged in and connected with the fisheries and commerce of the Province upwards of five and twenty

## APPENDIX.

twenty years, and will answer as far as my experience to such questions as I am best acquainted with.

*Question No. 3.* The mackerel fishery carried on from the United States in the Bay Chaleur, where the fish resort for the purpose of spawning, is destructive to the net and seine fishery on the shores of Nova Scotia; for the fish being detained in the bay by the food thrown to them from the vessels till the season of their feeding on the shore of Nova Scotia is past, they pass to the westward at a distance from the shore too great to permit their being taken with nets.

*Question No. 5.* The statement given by Charles Steward, and enclosed with this, will shew that the citizens of the United States do encroach on the fishing grounds on the shores of Prince Edward Island and Cape Breton, where the mackerel are principally taken by them.

*Question No. 6.* Several of the American fishermen are in the habit of frequenting the harbour of Liverpool in the fishing season for the purpose of procuring bait, which they purchase from the people, and pay for in pork, bread and other articles—as early in the season they cannot procure bait on the fish banks, but must resort to the harbours for it.

*Question No. 12.* The American Government allows four dollars per ton bounty on vessels employed in the cod fishery, but none on the mackerel fishery, or any other that I am aware of.

*Question No. 16.* The fishery on the coast of Labrador is carried on in boats, the vessels lying at anchor in the harbours. The fish are chiefly taken near the shore, say within a mile. The French vessels lying on the north side of Newfoundland have shallops which they send to the Labrador coast, but chiefly fish in deep water in the straits where they catch the largest fish.

*Question No. 19.* To prevent the American fishermen from usurping rights and privileges on the British shores, differing from those ceded to them by the convention of 1818, I would not employ steam boats or cutters, or any vessel conspicuous enough to alarm them, but would rather place proper officers and men on board jebucto boats or schooners, such as are employed in the fisheries, and disguise both vessels and crews as fishermen, that they might sail among them without being known, and should a few of them be caught violating the treaty and condemned, it would doubtless have the effect of deterring them at least for some time.

*Question No. 22.* I am decidedly of opinion that it would be of advantage to the Province to permit the Americans to reside and form establishments in the Province, and conduct the fisheries from the shores thereof, they reciprocating such privileges, and allowing the produce of the British fisheries to be imported into the United States duty free.

The above are all the questions that I can answer by this opportunity, as owing to the non-arrival of the mail last week, I did not receive the circular till yesterday morning, but should any thing upon the subject occur to me upon further consideration, I will communicate it by next post.

In the mean time,

I remain your obedient servant,

*Liverpool, 11th March, 1837.*

JOHN BARSS.

W. B. Taylor, Esquire, M. P. Halifax.

*Halifax, N. S. 23d February, 1837.*

SIR—We have received your circular of 20th instant, addressed to us, as Chairman of a Committee from the House of Assembly, appointed to inquire into the state, &c. of the fisheries of the Province. We have to regret that our information upon these subjects is so limited as to enable us to give answers to but few of the questions put to us; we deem it, however, our duty if we can afford the Committee any information to do so, and accordingly very respectfully offer the following answers.

We are, Sir, your most obedient servants,

D. & E. STARR & Co.

James B. Uniacke, Esquire.

No. 1. We have been engaged in mercantile pursuits since the year 1825—in the fisheries to a very limited extent, but principally in the export of fish to distant or foreign markets.

## APPENDIX.

3. It is evident to us that the fishery carried on by the Americans operates much to the disadvantage of our fishermen, but their ill success we cannot impute entirely to that cause—there is more exertion and enterprise on the part of the Americans; they are upon our fishing grounds, and sometimes with full fares, before all of ours have left their harbours; they have a double advantage in the bounty granted by their Government, and the duties levied upon foreign caught fish. We think the boat fishery suffers much from the Americans, but our entire want of knowledge of facts precludes us giving any satisfactory proof upon the subject.

8. The people of the United States do frequent the harbours, bays, &c. of Nova Scotia—they purchase fish and oil from our inhabitants, and pay for the same in tea, tobacco, shoes, and such articles as they require, and sometimes with what they don't, and occasionally give money, amongst which it sometimes happens that counterfeit dollars and spurious notes are detected, *and this fish and oil is taken into their ports as caught by themselves, and consequently free of duty.* Such a traffic deprives the revenue of a large amount of duty, the Province of a valuable export, and the merchant who has supplied those people with their outfits of his payment—the earnings of the fishermen are squandered in useless traffic, his credit is destroyed, and his time completely lost to the country; whereas if a stop was put to their trading in our harbours a much greater source of valuable export would be brought to the capital, and the credit and the means of our fishermen would annually increase.

12. The American Government allows a bounty upon the cod fishery, but upon reference to their Act of 19th June, 1813, which we believe has not since been altered, we cannot find that any such support is afforded to salmon, mackerel or herring fishery, but upon the export of pickled fish cured with foreign salt a debenture of twenty five cents per barrel is allowed. The bounty on the cod fishery is upon the tonnage of vessels, viz.: from five to thirty tons, employed four months in the fishery, three and a half dollars per ton; and over thirty tons, for the same period, four dollars per ton; and over thirty tons, with a crew of not less than ten persons, employed three and a half months, three and a half dollars per ton. No vessel can pursue the fishery without a license, and cannot obtain a greater bounty than three hundred and sixty dollars. The duties imposed by the American Government are upon cod or any kind of dried fish, one dollar per 112lbs.; salmon (smoked), one dollar ditto; salmon in barrels, two dollars each; mackerel, one and a half dollar ditto; all other kinds of pickled fish, one dollar per barrel.

13. We consider South America and the West Indies to be the best markets for our fish. The American markets do occasionally offer some encouragement for pickled fish, and it appears to us the day is not far distant when they, with Upper Canada, will require all the pickled and even a great part of the dry that we can take, were the American duties taken off or even reduced; a very small reduction in their prices would be caused thereby, and the value of fish caught by our people much enhanced. Could such a measure be effected, it would be the best bounty our fishermen could receive; the encouragement to fit out a greater number of vessels could be increased to such an extent that we could still give supplies to those places to which our trade is now principally, indeed almost exclusively directed, besides the large proportion of the catch which would naturally find its way to the United States.

17. At present our vessels for the fishery can be fitted equally as cheap as the Americans, which hitherto has not been the case; pork, bread and flour being quite as low here as in the United States; the American pays a duty upon his salt of two cents per 56lb, and upon his fishing nets and lines five cents per lb, consequently in those duties he contributes largely towards the bounty he receives, which, in reality, to a large extent is only a debenture. Upon those articles our fishermen pay no duty, and therefore so far they both may be nearly equal, but the duty upon foreign fish is the bounty and encouragement received by the Americans.

We think the employment of fast sailing cutters would be very effective, and the most economical for protecting our fisheries, and protecting the encroachments of the Americans; steam would perhaps be the most effectual, but the expense too great—the cost of four vessels for the fishing season would be fully made up by the surplus revenue, directly and indirectly obtained. Those vessels of fifty tons, manned with twelve persons each, employed seven months in the year, would be furnished at an expense not over £2,500 for the season.



## APPENDIX.

21. It appears to us that, through the British Government, negotiations might be made with the United States to induce them to take off the present duties. In the State of Massachusetts, from which the fishery is principally conducted, a strong feeling has long been evinced by the mercantile part of the population that they should not exist; and we understood three years ago, that representations upon the subject were made to Congress. At present twenty one of their States at least, in the consumption of fish, are taxed for the support of the fisheries, wholly enjoyed by the New England States; the consumption of the article has increased so rapidly, that the price is too high to make it any longer an article of export; consequently American vessels which formerly loaded at their own ports, are now sent to Newfoundland and Nova Scotia for cargoes. Unless some measures are adopted by the Province or British Government for the better protection of our fisheries, they soon will be completely usurped by the Americans, their numbers on our coasts, and in our harbours and bays, every year, are increasing to an alarming extent, and in the summer season, the Gulf of Saint Lawrence literally swarms with them.

22. It will never answer to allow the Americans to bring their vessels and supplies, and erect temporary establishments in our harbours, for the fishing season, and when that is over to remove with their fish to the United States; such a measure would to a certainty stamp our ruin. We however think as permanent settlers it would be highly advantageous for us to allow them to cure—it would bring industry, enterprise and wealth, to the country, but while the present duties exist they will never remove to our shores to be saddled with them; but if they could be got rid of, and it appears to us they are the great evil, and the principal barrier we have to contend with, there would be nothing to prevent our harbours being rapidly settled with Americans; they would be nearer the fishing grounds, and be enabled to obtain their fishing supplies quite as cheap as in the United States.

No. 1. Merchants and ship owners—possess some general knowledge of the commerce of the Province, having been engaged therein twenty five years.

2 and 3. By the third article of the treaty of 1783, the people of the United States were allowed to take fish on the banks of Newfoundland, in the Gulf of Saint Lawrence, and at all other places *on the sea* where the inhabitants of both countries used previously to *fish*: also on such part of the coast of Newfoundland as British fishermen shall use, and on the coast of all other of His Majesty's dominions in America. The permission to *dry and cure fish* by American fishermen was confined to the unsettled bays, harbours and creeks of Nova Scotia, Magdalen islands, and Labrador, or if settled, then by agreement with the inhabitants. The very extensive privilege thus conceded to the United States, together with the frequent relaxations of the navigation system of Great Britain, between the years 1794 and 1806, by which American vessels were permitted to carry to the West Indies fish and other Colonial products on the most favorable terms, while British vessels were subject to increased insurances and wages, impressments and other disadvantages, incident to a state of war, were, for the time being, highly injurious to the fisheries and commerce of this Province, and proportionably advantageous to those of our rivals. The renewal of those privileges, under certain limitations, and the grant of additional ones by the convention of 1818, with the aid of extravagant bounties from their Government, has enabled the Americans to increase their fisheries to an immense extent, and they have in consequence materially interfered with British caught fish in the markets of Europe, and almost wholly supplanted it in those of the West Indies not under the British Crown.

4. We are not as well acquainted with the extent and value of the fisheries on the north coasts of Newfoundland, Labrador, &c. as many of our neighbors. We believe the Americans have resorted thither in great numbers, and that the concessions made to them have been found of immense advantage to their fisheries.

5. It is alleged that the Americans carry on an extensive net fishery in the *harbours* at the Magdalen islands, contrary to the express terms of the convention, and that they have actually prevented British subjects from participating therein.

6 and 7. Not being directly engaged in the business of supplying fishermen and traders, we are unable to give that circumstantial information in reply to this and the two following questions, which may be afforded by many of our neighbors; but we are



## APPENDIX.

are informed that about 70 sail of vessels resort to those Islands every spring to prosecute the herring fishery.

8. Our fishermen and traders complain that the whole of the eastern coast of this Province, and much of the western is lined with American fishing vessels in the summer season. That they do not confine themselves to the fishing ground allotted to them beyond three marine miles from the shore, but come into the harbours and supply the inhabitants extensively with foreign goods, only admissible into free ports on payment of duty, taking in return green fish, oil, mackerel, and other produce of our fisheries, to the serious injury of the honest trader and of the Provincial revenue.

9. The mackerel fishery, which is one of great value to the Province, is carried on principally within the limits of three marine miles from the shore; but there is reason to fear that this important branch of our industry has already suffered materially from the interference of the Americans, and their practice of throwing the offal from their vessels into the sea.

10. Whatever difference of opinion may exist as to their right, under the terms of the convention, we believe the Americans have freely used the privilege of coming to any part of our shores not within three marine miles from *land* (whether head land or bay) to fish, and are in the habit of entering our harbours, not only for shelter, but for other purposes, as mentioned in answer No. 8.

11. See answers to Nos. 5, 6 and 7.

12. We do not possess particular information respecting the bounties given in the United States. We believe the general government grants a bounty of 28 cents per barrel on the export of pickled fish, cured with foreign salt, being equivalent to the duty paid on such salt in the United States. In Massachusetts, a bounty of four dollars per ton is allowed (we believe by the State) on all vessels of a certain size, employed in the cod fishery during six months of the year. We are not aware whether the same is given by the other Eastern States.

13. The principal markets for dry fish, British caught and cured, are the British West India possessions, Spain, Portugal, the Italian States, and the empire of Brazil. Our pickled fish are consumed chiefly in the West Indies, the Canadas and New Brunswick. A large proportion of the salmon is shipped to the United States, and latterly mackerel have also been exported thither to some extent. Great Britain herself takes nearly the whole of the oil.

14. It may be doubtful, we think, whether American fishermen are actually precluded by the terms of the convention of 1818, from passing through the Gut of Canso, the distance of three marine miles, being the limit within which they are not allowed to *fish*; but if these waters be exclusively Nova Scotian, the Provincial authorities are perhaps competent to enforce such restrictions, with consent of the Parent Government, as will effectually prevent that passage being used by them.

15. The salmon fishery on the coast of Labrador is a very valuable one; it is carried on partially from this Province, but chiefly from Newfoundland, Canada, and the United States. The trade with the natives in furs, &c. is but little known here.

16. The fishery extends from the distance of a half a mile to between three and four miles from the shore: it is carried on by vessels of from sixty to one hundred tons burthen and upwards, which lie at anchor in the harbours, and send out their boats and crews to the fishing grounds.

17. The cost of outfit for a fishing voyage varies every year. In general the Americans have the advantage over the British; their provisions, canvas and some other articles required, being cheaper than ours, while iron, cordage, lines, &c. are procured at lower prices in the Colonies. At the present time there is but little difference in the price of provisions in the two countries, but heretofore they have been from fifteen to twenty per cent. cheaper in the United States. We are not possessed of sufficient data to enable us to make an exact comparison of the cost of outfit here and in the United States.

18. There have been numerous complaints made of the interference of the Americans and French with our fisheries at the Magdalen islands, on the coasts of Labrador and Newfoundland, and for some recent acts of violence committed by subjects of both these nations—we beg to refer particularly to a pamphlet submitted by Mr. George Handley,  
of

## APPENDIX.

of this town, to the Honorable the House of Assembly during the present Session. It appears to have been the opinion of the naval officers employed to protect our fisheries—that the Americans are entitled by the convention of 1818 to fish in the *harbours* of the Magdalen islands, but it will be seen by reference to that document that no such right was ever intended to be conceded to them—the terms employed being “on the *shores* of the Magdalen islands,” and also on the “coasts, bays, harbours and creeks,” of the coast of Labrador.

19. We are of opinion that small armed vessels, well manned, and calculated to sail fast, would be the most efficient for the protection of the fisheries and prevention of smuggling on our shores. The knowledge that a few such vessels were actually employed would go far to prevent the encroachments and illicit traffic now complained of. We consider that any sum of money which could be spared for this service would be more advantageously employed in sailing vessels than steam boats, owing to the great expense attending the latter.

20. The advantages gained by the Americans under the convention of 1818 are greater we conceive than those conceded by the treaty of 1783; but we cannot undertake to make a comparative estimate of the actual difference. We would observe that the fishery in the Gulf of Saint Lawrence, which was allowed to the Americans by the treaty, is not specified in the convention, but is probably conceded under the general permission to fish any where, not within three marine miles of the shore.

21. We consider that the protection and encouragement of our fisheries is at this moment a question of vital importance to the interests of this Colony. For several years past the price of codfish in this port has been so high as to occasion a large import from Newfoundland to supply the additional demand, created by vessels not owned in the Province resorting here for cargoes; and such must continue to be the case until more efficient means are adopted to increase the catch of this staple export, and protect the rights of our fishermen. We think the employment of additional capital in the cod and mackerel fisheries, by parties living in convenient places for conducting them, an essential point, and that larger vessels, suitable for the bank fishery, should be more generally employed. It is notorious that our fishermen on the shore do not follow the business with that energy which is requisite to ensure success, but by dividing their time between coasting, farming and fishing, they fail in producing any good result. To induce capitalists to embark in the business, it is of the first importance to restrain foreigners from fishing within the limits of treaties, and thus secure an undoubted and undivided right to the inshore fisheries to British subjects.

22. We do not conceive that it would be possible to enter into any arrangement of the kind here suggested, without conceding much greater advantages to the Americans than any equivalent they have to give in return; former experience teaches us that their diplomatists understand the art of making commercial conventions and treaties much better than ours; but as respects this proposal, it requires but little foresight to discover that they would gain upon us immeasurably by it, if adopted as the basis of a new arrangement. If we allow them the right of fishing on our shores the numbers will of course be much greater than now, while they are regarded as intruders; and undoubtedly a very large proportion of our fishermen will be employed in American vessels, the produce of whose labor will be transferred to the United States. And what are we to get in return? They have no shore fishery of any value to offer us a share of, and as to their market for codfish it is seldom higher than our own, after deducting freight from this Province to their ports. A removal of the foreign duty on this article in the United States would therefore be of no advantage to us, and as respects pickled fish it would only be the best qualities, such as salmon and No. 1 and 2 mackerel, which would be enhanced in value *materially* by free admission into their ports. It cannot, however, be contended that these articles are now too low to remunerate the fishermen, and it is a well known fact that had the catch been quadrupled the last two years advantageous prices would have been obtained for the whole; but if as a commercial speculation, the bargain would be a bad one for us, its consequences in a political point of view would be still more disastrous, and we cannot believe that such a proposal would be listened to for a moment on the other side of the Atlantic.

JOSEPH ALLISON & Co.

## APPENDIX.

*New Glasgow, 11th March, 1837.*

DEAR SIR—In answer to your letter of the 20th February, I beg leave to transmit the following remarks:—

No. 1. I am a Farmer, but have partially engaged in trading to Chebucto Bay for the last fourteen years.

2. Not competent to give an answer.

3. They pick up the fish, and materially shorten the catch.

4. The Americans are in the habit of harbouring in the harbours of the Magdalen islands, in May, and taking large quantities of herrings in seines, in larger quantities than they are enabled to cure, which must be very injurious to the fisheries.

5. They do, by fishing within one mile, at Point Misco, Bay de Chaleur, Prince Edward's Island, and the Magdalens', in 1836, and past years, hooking mackerel and codfish.

6. They do purchase bait from the inhabitants in exchange for tobacco, tea, &c., by which contraband trade is encouraged, to the injury of the honest trader.

7. They do, and raise schools of fish near within one mile of the shore by throwing over ground bait, and the driving them off into deep water, by which means the shore fisherman is deprived of his natural privilege.

8. They do regularly attend at the fishing establishments in Chebucto bay, and purchase fish for cash and other commodities.

9. Am not aware of any net fishery beyond three miles. When passing through Little Canso they materially affect the net fishery.

10. We are aware they wood and water in the harbours adjacent to the fishing ground.

11. By coming as near as one mile from the shore, and drawing schools of fish, and decoying them to deep water by means of ground bait.

12. It is generally understood they have a bounty, but I am not sufficiently acquainted to go into details.

13. I am aware the market in the States is good, but the restrictions to British bottoms affect the market.

14. Do not know the convention of 1818. They cannot pass without approaching within half a mile of the shore.

15. They do trade, but cannot say to what extent.

16. Chiefly in boats, at various distances.

17. Cannot say particularly.

18. They have been known sometimes to interfere with our fisheries.

19. A small armed vessel disguised, so as to appear as much as possible to resemble a trader, would in my opinion suit best.

20. Cannot say.

21. If the fishing decreases at the same rate for the four succeeding years as it has done for the past, the fishing will not be worth attending to.

22. Keep the Americans from the fishing ground if possible.

James B. Uniacke, Esquire.

WILLIAM M'LEAN.

*Pictou, March 14, 1837.*

SIR—Immediately upon receiving the circular letter of the Committee of the Honorable the House of Assembly, whereof you are Chairman, I set about making all inquiries necessary to enable me to answer a few of the questions put. I now beg leave to forward two affidavits of individuals well worthy of credit, calculated to satisfy the Committee in a great measure in reply to queries 5, 7, 8, 9 and 11. From knowledge obtained during 16 years, and in my capacity of inspector of fish for the last eight years, and frequent communications with many persons engaged in the fisheries of this Province, I am enabled to state that there exists a very general dissatisfaction on their part, at the manner in which the fishing grounds are constantly invaded by the subjects of the United States, and from knowledge generally obtained, I am enabled to state that our fellow subjects are virtually excluded from any thing like a fair participation in a fishing which by right belongs to them. Americans are a bold, daring, and enterprising people, and unhesitatingly lay hold of every possible commercial advantage that presents itself, and while on this account they are not the most scrupulous observers of the rights of their neighbors, they are for the same reason  
most

## APPENDIX.

most punctiliously jealous of their own. They are moreover a nation of *capitalists*, and spare no expense in the prosecution of their object—their fishing vessels being of the most approved description, manned by men individually having an interest in the adventure, and who consequently pursue the fishing with the most unabating zeal. Our fishermen on the contrary are very poor—our vessels not calculated for the business—add to this they cannot move on our own fishing ground without being interrupted and jostled by these foreigners—on every tack insulted, brow beat, and their property destroyed within hail of our very shores—and it is no matter of surprise that our fishermen exclaim in bitterness of spirit that it is unfortunate for them to have been born under the British flag, a flag that protects the oppressed around the globe (them excepted). It is grievous to a loyal subject to perceive the tone of alienated feeling that now prevails among the hardy fishermen of our shores in consequence of daily and repeated violation of their rights by the haughty citizens of the neighboring republic, the infringement of rights solely and wholly theirs, and which affords this enterprising people a source of incalculable wealth. Whoever refers to the well known fact that our waters are completely studded with their vessels, ably, diligently, and successfully fishing during the whole season, will readily admit the correctness of the foregoing assertions—ninety of their vessels were at one time to be seen fishing from an island at the mouth of the harbour of this port, and consequently within our head lands.

In order that I might be enabled to give every possible information to your honorable Committee on this most important subject, I called a meeting of our merchants and others interested in the commerce of the Province, which took place in the Court house. I have now the honor to state their satisfaction at the earnest and comprehensive manner in which the Committee has taken up the subject, and that it is an earnest of your determination that the aggression complained of will not be any longer submitted to. The gentlemen present seemed unanimously impressed with a very strong and unpleasant conviction that no sufficient protection was afforded to our fisheries by the British Government, whose ships of war might as well remain on the other side of the Atlantic for all the service they have ever been to the fisheries of Nova Scotia. It was suggested in adverting to your 19th query, that if the question of right were properly described and settled between the two Governments, there would probably be no occasion of an armed defence of our rights, but if so, cutters supplied with sweeps would be the most efficient description of vessels for the purpose.

Respecting query the 22d—It was the unanimous opinion of the meeting that it is incumbent on the British Government to insist on a strict compliance with the treaties on the part of the United States of America; but it was also fully admitted when these treaties were respected, there could be no just reason why natives of America or any other country should not be allowed all the privileges of British subjects, they becoming *bona fide* residents of the Province, purchasing lands and investing capital among us, but on no other condition; as granting them the privilege of fishing on any other terms would but open the door for the evasion of the treaties, when all the benefits of fishing would be altogether in their favour, while the superiority of the American markets is admitted, to open it to us would do no more than open the door to competition between our fishermen and theirs, which it is to be feared, instead of improving our condition might possibly make it worse, as we are not, and little likelihood for a considerable time of being, able to enter into a successful competition. My remarks have been drawn out to a greater length than I could have wished, but hoping they may not be considered impertinent,

I have the honor to subscribe myself, Sir, your most obedient servant,

A. D. GORDON.

To James B. Uniacke, Esquire, Chairman.

SIR—In answer to your letter of the 20th February, and in compliance with the request of the Committee, to inquire into the state of the fisheries, I hereby reply to the queries therein, as far as my knowledge extends; where I have expressed my opinion, it is the result of general knowledge and experience acquired in the course of business. What I have stated positively, are facts within my own knowledge.

As

## APPENDIX.

As regards treaties, not having them at hand to refer to, I have refrained giving an opinion upon the operation of them.

Your obedient servant,

GILBERT R. TUCKER.

*Montegan, Clare, 11th March, 1837.*

No. 1. I am a trader, have been in the habit of supplying fishermen in open boats, along the shore of the bays, and Cape Saint Mary's, eight years—I have been accustomed to the trade of the lower part of the County of Annapolis from my infancy; what knowledge I have of the fisheries and commerce of this Province, have been principally acquired by those means.

2. I am not prepared to say what effect the operation of the treaty of peace of 1783, had upon the fisheries or trade of this country, as I do not know what privileges were ceded or gained by it on either side; I think it has operated injuriously, inasmuch as the Americans have been made bold to approach our shores, interfering in our fisheries, injuring our trade and revenue, by bartering goods with the inhabitants for fish.

3. The fisheries carried on from the United States operate to injure our fisheries, because they encroach on our fishing grounds, scatter the fish, and drive them away by their carelessness in throwing overboard the cleanings of their fish.

4. I am not acquainted with the fisheries of those places, cannot give the information required.

5. I am not informed, consequently cannot give the necessary information.

6. The Americans catch bait, and purchase from the inhabitants on the shores of this Province; the consequence is, they pursue their fisheries more successfully in our waters by getting plenty of fresh bait, without loss of time; the effects are injurious to our fisheries, the Americans purchasing bait from the inhabitants many times for a *baubee*, when at the same time, there were among themselves who would lose a day or more fishing, for want of bait; injuring trade by disposing of their goods at a lower rate than can be afforded by the fair trader, and defrauding the revenue by smuggling.

7. Americans do frequent the shores of Nova Scotia, and fish within three miles thereof. I believe they interfere in the net fishery; by means of bait for the purpose, they raise shoals of fish within three miles of the shores; they also cure them within that distance, and beyond, in deep water. I do not know what effect it has on the shore fisheries.

8. To this I answer they do; the revenue is injured in proportion to the goods so smuggled.

9. I believe the net fishery is not carried on to any extent beyond three miles from the shores, except on the shores of islands; I am not acquainted with the net fishery, therefore cannot give the information required.

10. The people of Nova Scotia, I believe, assert generally that the Americans have no right to come within three miles of the shores, except for wood and water, or to shelter. I have known the Americans, when caught encroaching beyond such privilege, to plead ignorance, or a different construction of the treaty.

11. I believe their system of jigging and catching mackerel fish has operated injuriously on the mackerel fishery, by destroying a great many they do not take, and leaving a great many wounded, that die, and drive, or cause the other fish to leave the ground.

12. The American Government allows a bounty to encourage their fisheries; I do not know what bounty on each, nor do I know whether on salt, tonnage or catch; I believe on each and all. They impose on the produce of the British fisheries, five shillings per barrel on pickled fish, though I believe on mackerel it varies, according to quality.

13. I believe the West Indies afford the best market for the produce of the British fisheries. The United States would, I think, afford a better market, could they be taken free of duty.

14. I do not know the rights of Americans, according to the convention of 1818; I believe they cannot pass through the Gut of Canso without being within three miles of the shore, and approaching important fishing stations of that part of the Province.

15.

## APPENDIX.

15. I can give no information on that subject, from a want of knowledge.

16. I am not sufficiently informed.

17. American fishing vessels are outfitted at cheaper rates than British; the difference consists chiefly in the price of provisions, which is the principal item in the bill of outfits; other necessities being equally as low, or even lower than can be procured by our fishermen. I give it as my opinion, however, that the greatest reason why our fisheries are not as productive as the American, arises from the difference in the way they are fitted out and owned; the greater part of our fishing vessels are owned by poor men, they get their outfits on credit, at the highest possible rate—their hands are generally hired; his own spirits are dull from a knowledge of the disadvantageous circumstances under which he has to labour; his hands have the same feelings, in some measure, with the additional one, of the uncertainty of being paid; thence their want of energy and the unprofitableness of our fishing. The American merchant owns the vessel, fits her out at the cheapest rate, ships his hands on shares, from the skipper to the cook, according to what catches. An ambitious spirit is thus excited among them; this and the liberal encouragement from their Government causes more active enterprising men to embark in the fisheries; consequently they are generally more successful, and their fisheries more productive; perhaps the encouragement from Government more than any thing else causes those good effects.

18. I have no knowledge of any instances of that kind; I believe there has been numbers, but not in this part of the Province.

19. I think the employment of a steam boat would be the most efficient means to prevent American fishermen approaching our shores; they would scarcely venture in our harbours, and run the risk of being caught in a "flat calm," if they knew a steam boat was in quest of them.

21. I have stated in my answers the principal evils, in my opinion, resulting from the Americans approaching our shores.

22. I think it would be attended with beneficial effect to the inhabitants of this Province, to permit the Americans to form fishing establishments in the Province, and conduct the fisheries from the shores thereof; provided all our fishermen could have all the privileges of and be placed on an equal footing in every respect with themselves; provided also, they did not (like birds of passage) leave us in the winter, and return in summer.

I passed over the 20th question by mistake; I can give no satisfaction, however, respecting it.

*Digby, 9th March, 1837.*

SIR—Below you have answers to such numbers as came within my knowledge:

1. Ship Master—have been engaged several seasons in the Labrador cod fishery, and several years in the Bay of Fundy mackerel fishery, and also in the West India trade from this Province.

3. The fishermen from the United States are encouraged by a bounty, which excites energy in them, and enables them to compete with us at any market more favorable for them. I consider a bounty on tonnage preferable to any other way.

6. The American fishermen do catch bait in the harbours of the bay of Fundy, and sometimes, to the annoyance of the inhabitants, they also purchase bait.

7. The whole of this section is incontrovertible. The last season many American vessels were in Saint Mary's Bay for the purpose of taking mackerel, when, instead of catching them with the hook, used gafts or jiggs—whereby three fourths of the fish were destroyed, to the great disadvantage of the fishermen of this district. They are also in the habit of throwing out bait to induce the fish from the shore, to avail themselves of the limits by treaty. This practice certainly must effect the shore fishery.

8. The whole of this, I am sorry to say, is too true, and this being the case, must appear evident the Provincial revenue is affected.

11. Is fully answered in No. 7.

12. Refer to No. 3.

14. No vessel can pass through the Gut of Canso without being within one mile of the shore.

## APPENDIX.

16. Vessels prosecuting the Labrador fishery, take with them boats, according to their size or tonnage, and the fish taken in them, sometimes near the shore, and at other times two miles off.

19. I am fully of opinion that a cutter about forty tons, with two good boats, would effectually protect the western coast of Nova Scotia and the Bay of Fundy, from encroachment, and in a great measure prevent smuggling.

21. The evils resulting are so general, that it would be difficult to separate them in severalties, as their encroachment upon the shores of Nova Scotia cannot be any way beneficial to the inhabitants—as will be answered in No. 22.

22. I am firm in the opinion, that if Government does not protect the fishery, that it would be more beneficial to the inhabitants to admit the Americans—the reciprocating such privilege, and allowing the produce of the British fisheries to be imported into the American States duty free. But, in such event, I should be fearful that it would tend to introduce republicanism into the Province.

The different queries have been so copiously put, I am not prepared to make any further comment.

I have the honor to be,  
Your most obedient servant,

JAMES F. TOBIN.

To James B. Uniacke, Esquire.

*Prospect, 15th March, 1837.*

SIR—I have forwarded all the information I could rely on, in answer to the queries sent through your circular on the subject of fisheries, and I am convinced there are many more instances of their encroachments on our shores, from what I can ascertain.

I remain yours, &c.

THOMAS TOBIN.

James B. Uniacke, Esquire.

No. 1. I have been for the last four years engaged in the fishery at Upper Prospect, and employ from 18 to 25 men in the cod, herring and mackerel fishery, on the western shore. I have previously supplied fishermen, east and west, upwards of ten years.

3. I have been informed from different sources, by persons I can rely on, that American fishermen from the State of Maine, every spring, call into Pennant bay, opposite Sambro light, and purchase gaspereaux for bait, whence they proceed to Pope's, Liscomb's and Big Dover harbours, where, at the respective grounds of each place, they fish their nets, purchase bait, and make their voyages. The spring of 1835 there was upwards of 50 sail of American fishermen in and about Liscombe's, and by their baiting the fish at those places, has been a severe injury to our fishermen depending on the Sambro bank. If the Americans can be prevented from setting nets or purchasing bait in the above places, our fishermen would be enabled to trail the fish in shore.

7. A person from our shore who was fishing at Cape Breton last season, has informed me that it was a common thing for the Americans to stand into some point of head land on that shore (it is a well known fact to seine masters that the mackerel generally show most about such places, seldom further than half a mile from the beach, and in many instances not fifty yards); when there was no appearance of interruption they would commence throwing over ground mackerel bait, and when the mackerel would show on the surface to immediately stand off under easy sail, towing the shoals of fish with them; the boats from other Americans in waiting make fast to the decoy, in many instances upwards of 20, for the more boats the surer the work; they rise in such immense quantities that they frequently use the jiggers, a most destructive machine, in place of the hook, consequently nearly one fourth of the fish are wounded and lost; by such means the fish are carried out of their natural course, and when they congregate again they never make the western shore, but is supposed to stand off to the southward.

8. The following circumstances came under my own observation: the fall of 1835 there was a number of American vessels in and about Upper and Lower Prospect, Blind bay, Margaret's bay, and in fact up to the Cape, endeavoring to purchase mackerel; one of them was lying in Blind bay, and purchased, as I ascertained on my getting there, between 80 and 100 barrels of round mackerel, for which they paid fourteen shillings per barrel; they took them in the hold and on deck. I had occasion to go up there the



## APPENDIX.

the same morning on business in my sail boat, the fishermen on seeing my boat, of their own fear, induced the American to make sail, and as I proceeded up, they came out dressing their fish; by such means they avoid paying the duty, and obtain the bounty, for I understood from an American that they merely swear that they the crew dressed and cured them; the same week others were into different harbours endeavoring to purchase pickled codfish by the cwt.; one of them succeeded in getting, I am convinced, 80 barrels, they having their own packages. I understood they paid specie for their purchases, although I ascertained they had goods on board; many persons here thought my opposition to them was in consequence of having similar articles for sale. I certainly conceive it very hard that strangers, particularly Americans, should carry away the fish that was due me for supplies. Two gentlemen from Halifax was here purchasing fish, and observed the Americans in and about the harbours.

22. In reply to query No. 22; there is not a fisherman, I am confident, between Cape Sable and Cape Canso but would oppose the settlement of Americans among us; if once allowed to get a footing they would in a few days ultimately destroy the fishery on the shore; as it is we are not able to contend with them. In the first place they have a better class of vessels, supplied fully forty per cent. less, they receive a bounty on tonnage and catch, in addition they are more expert fishermen, and in most instances nearly every man in a crew is related by family more or less, also having shares in vessel and voyage, which naturally makes them take a deeper interest than the servants of Nova Scotia planters. In general the men that compose their crews are from Newfoundland and elsewhere; they after serving a year or two, and realizing a little money, proceed on to the United States, consequently two thirds of our crews are entire strangers every year; as respects the natives, as soon as they become of age they procure a whaler, and commence business on their own account. I am of opinion, with all the information I have procured from the old fishermen, if the Americans can be compelled to keep actually three marine miles off the head lands, without in any manner of getting within the bays, keeping actually head lands inside of them proper the distance, that our mackerel fishery would not be injured, for the mackerel on their return in the fall from the eastward naturally keep the shore close aboard to avoid the large fish.

### ANSWER TO QUERIES.

William Irish—

No. 1. Trader—have some knowledge of the fisheries and commerce of this Province—have been engaged therein about seventeen years.

Thomas Mudie—

1. Trader—have considerable knowledge of the fisheries and commerce of this Province, but principally of Cape Breton—have been engaged therein three or four years.

Charles F. Harrington—

1. Attorney at Law—have from a long residence in this part of the Province some knowledge of the fisheries and commerce, chiefly from travelling and accidental intercourse; have been but little engaged therein.

William Irish, Thomas Mudie, Charles F. Harrington—

2. The operation of the treaty of 1783 is undoubtedly injurious to these Colonies and the British trade in general, inasmuch as the inhabitants of the United States have the same rights in most respects by that treaty as they before had as colonists of the British empire, and now by their numbers, skill, resources and commercial privileges at home and in foreign countries, are enabled to exclude the fish of British subjects from the benefits of a foreign market, and do by the immense quantities of fish by them taken on the shores of British North America, and forced into all the foreign markets, greatly reduce the price of fish, and otherwise greatly injure the fisheries and commerce of this Province by their competition.

William Irish, Charles F. Harrington—

3. By interfering with and greatly lessening the quantity of fish heretofore caught by our fishermen; by supplying the inhabitants of the United States exclusively and extensively; and by the sale of great quantities in the British West Indies, in almost all the British foreign possessions, and principally in South America, thereby being enabled



## APPENDIX.

enabled to purchase returns and preserve their commercial relations in many of those countries with an article of demand which their own country cannot supply.

### 4. Unanswered.

Thomas Mudie, Charles F. Harrington—

5. The Americans have grossly and continually violated the terms of the convention of 1818 by coming into our bays and harbours, and within the limits prescribed, and there trading illicitly with the inhabitants, especially during the last year. In settling and anchoring in those bays and harbours, in all times and all weathers, for those and other unlawful purposes; and in engaging sailors and fishermen from among the inhabitants, in enticing these away to the States in great numbers, and in procuring outfits for their voyages.

Thomas Mudie, Charles F. Harrington—

6. The United States' fishermen do catch bait on the shores of this Province, and of Cape Breton, the consequence is, it enables them to interfere with and interrupt the catch of our fishermen, to trade with the natives, and to fish, and to infringe more easily and frequently the treaty and convention.

Thomas Mudie—

7. They do, your certifier hath seen them repeatedly on the shores of Nova Scotia and Cape Breton, within three marine miles of the shore fishing, to the number of sixty vessels at a time, and in his opinion, they were not more than one mile and a half from the shore, particularly at Cape George, Port Hood, Mabou, and Broad Cove; they do raise fish within three miles of our shores by fish, principally mackerel, ground up in mills, using every fifth and sometimes every third barrel in this manner, by which means they entice the fish beyond three miles from the shore, and by glutting them with food detain them there, so that the fishermen along shore, is very much injured thereby.

William Irish—

The American States' fishermen meet the schools of fish in our bays, and off our coasts, along the Gut of Canso, onward, and to Prince Edward's Island, within three miles of the shore, and entice them off the shore by their bait, and break them by their catch, so that they are greatly diminished, never again unite, and at length abandon the shores.

William Irish, Charles F. Harrington.

8. They do enter the harbours, bays, and creeks of Nova Scotia, barter extensively with the inhabitants and supply them with various articles, such as boots, shoes, flour, bread, cider, &c. clandestinely, and smuggle to a great extent, so that the Provincial revenue is much injured thereby.

William Irish, Charles F. Harrington.

9. The net fishery is not carried on beyond three marine miles from the shore, except upon the Ledger and Headland; the net fishery of great importance, and prosecuted most extensively and generally by the inhabitants around the shores of Nova Scotia and the islands; when the Americans come within three miles of the shore, they are frequently in the midst of the net fishery.

Charles F. Harrington—

I have seen the American vessels running over the nets along the shore.

10. This question contains its own answer.

11. It is not known by us that the inhabitants of the United States have ever been permitted by treaty or otherwise to fish within three marine miles of the shore.

Thomas Mudie, William Irish—

The system of jigging is very destructive to the fish, by wounding and destroying great numbers uncaught.

William Irish, Charles F. Harrington—

12. The Americans allow a bounty of 20s. per ton, it is principally upon the tonnage; they impose a high duty on British fish, as by reference to their tariff will be fully seen.

William

## APPENDIX.

William Irish—

13. The best market for British fish are the West Indies, South America, Europe; and the United States of late years for mackerel; Canada for herring.

William Irish, Charles F. Harrington, Thomas Mudie—

14. The Americans cannot pass through the Gut of Canso without coming within three miles of the shore: we consider it contrary to the convention of 1818 to do so; the most important fishing stations are from Canso Point up through Chedabucto bay, and the Gut of Canso northwards.

15. Unanswered.

16. Unanswered.

William Irish, Charles F. Harrington, Thomas Mudie—

17. We think the fishermen of the United States fit out much cheaper than our fishermen, but cannot state the difference or speak decisively.

18. Not well informed.

William Irish, Charles F. Harrington—

19. We do think that a steam vessel or two would be much more efficient in preventing the fishermen of the United States from infringing the treaty of 1783, and the convention of 1818, than the mode heretofore used.

William Irish, Charles F. Harrington, Thomas Mudie—

20. Not having the treaty and convention to refer to, we cannot well answer this question—but can say, that since the convention of 1818, and particularly within the last four years, the Americans have compassed and lined our whole shores with their numerous fishing craft, and continually interfered with, and injured the fishery of our inhabitants.

William Irish, Charles F. Harrington—

21. We have given some consideration to the importance of those inquiries, and from the opinions of several intelligent men in this community consulted on this occasion, and from our own conviction, we do say that, as the fish are an article of universal demand—as they bound exclusively on our own coasts—as many towns and portions of this Province and Cape Breton now solely exist by the fishery—and as the prosperity of this Province must much depend upon a cautious and skilful management of those fisheries, the Americans and all foreigners should not on any account be permitted to participate therein. And further, we do think it most unreasonable that the United States, an independent nation, should now enjoy and use privileges and advantages that properly belong to and spring out of the soil, right and sovereignty of the British empire. That the fisheries must be considered as belonging to the territory of Nova Scotia. That the Americans have prohibited their own fishermen from pursuing that course of fishery on their own coast, which they follow on the coasts of this Province, and have prevented all foreigners from using any privileges of fishery on their own coasts, while they themselves enjoy and exercise most extensive ones on the shores of these colonies. And lastly, we say that the evil produced from the several causes referred to above, has been great and extensive in Nova Scotia, by depressing and preventing the commerce of the country, and in cutting off a principal source of wealth to the inhabitants.

William Irish, Charles F. Harrington—

22. As we think it very difficult, if not impossible for the British Government to enforce the convention of 1818, we say that to render the fisheries at all beneficial to Nova Scotia, the Americans must either be totally prevented from any fishing on our coast, or must be permitted to enter our country freely with their capital—to form permanent establishments for the conduct of the fisheries, and to consider Nova Scotia as a fixed residence, “they reciprocating such privileges and allowing the produce of the British fisheries to be imported into the United States duty free.” But if they shall be allowed to make temporary stations on our coast for the purpose merely of meeting the run of the fish in their season, to bring their laborers, outfits and necessaries from home, and to return thither at the approach of winter, they will much injure the Province; as witness the Jersey merchants who have

## APPENDIX.

carried on their trade in that manner, residing in the old country and acting here through their agents.

WILLIAM IRISH,  
CHARLES F. HARRINGTON,  
THOMAS MUDIE.

*Antigonishe, March 14th, 1837.*

SIR—We, the undersigned, residents and inhabitants of Brier Island, in the County of Annapolis, and Province of Nova Scotia, beg to call your attention to injuries which your petitioners are subject to, by the American fishermen encroaching within limits, often running near the shores on the fishing ground of your petitioners, and there discharge the garbage of their fish, which if allowed to continue a few years will destroy our shore fishery. Several fares are annually made in Saint Mary's Bay in the months of April and May, within a mile or two of our shores; they also, in common with your petitioners, set their nets when there is scarcely a sufficiency of herrings for bait for your petitioners; they having taken these liberties for a few years past, now claim them, or knowing your petitioners having not any way of protecting themselves, take every advantage they please.

Your petitioners having heard that letters have been transmitted to the Magistrates of this place on the subject of fishery, beg to say that Charles Jones, Esquire, one of the Magistrates of this place, is at this time absent. Elisha Payson, Esquire, our other Magistrate, who, your petitioners have been informed, has written you on the subject of fishery, stating if the American fishermen were allowed to fish in common with the inhabitants of this island, and erect fishing establishments on our shores, by allowing the inhabitants to carry their fish to the American ports, duty free, would result to our advantage.

If these statements have been made by Elisha Payson, Esquire, your petitioners beg to say they have never been consulted upon the subject, neither are they knowing to the tenor of your letter upon the subject, which leaves them quite unable to answer the questions required of them.

Should such privileges be allowed, the Americans would entirely destroy the fishery of the inhabitants at this section of the Province, and benefit but one individual on this island, or hereabouts, which is Elisha Payson, Esquire, who is Collector of "impost and excise, also of light duties."

Your petitioners furthermore beg to say, that the prices which have been paid at Halifax and Saint John, New Brunswick, this few years past, for dried and pickled fish, considering the reasonable terms they procure their supplies at these places, afford them much better markets for their returns than the United States.

Trusting that a cutter or some armed vessel will be stationed in the early part of April to protect the fisheries at this quarter, as the Americans approach our shores about that time, make one fare, and off before the man of war has arrived here for years past.

And your petitioners as in duty bound will every pray.

Edward A. Jones, Lace Denton, William Rice, Benjamin Heny. Ruggles, Daniel Bayly, James M. Haycock, James Buckman, James Ring, William Thurber, William M. Desmand, Arthur Collins, John Slocomb, G. B. Smith, Ethel Davis, Franklin Pat-ten, William T. Potter, Hubbard Davis, Edward J. Potter, Charles J. Potter, Thomas P. Haycock, Josiah Cann, Samuel Denton, David Welch, Isaac Dakin, Gilbert Welch, John M'Kay, James Welch, Moses Morrell, John Dogherty, Stephen Buckman, William Boyly, Joseph Morrill, James S. Denton, Abraham Titus, Charles P. Morrell, Charles Carroll, Edward Morrell, Daniel Welch, William Morrell, Samuel Young, Tomas Hains, Benjamin Horton, John Hains, Charles Hains, Joseph Crocker, Israel Outhouse, Peter Outhouse, Anthony Brookford, James German, Thomas Wescoat, George Denton.

James B. Uniacke, Esquire, Chairman of the Committee to inquire  
into the state of the fisheries of this Province.

*Rugged*

## APPENDIX.

*Rugged Islands, March 13, 1837.*

SIR—

No. 1. Our professions were formerly fishermen, but now engaged as fish merchants, and have some knowledge of the fisheries and commerce of this Province.

2. The treaty made in 1783, has been prejudicial to the commercial interests of this country, by allowing the Americans to take fish on the shores and banks of Nova Scotia, and carry the same to markets which could be supplied by the people of this Province.

5. The Americans have encroached on the fishing grounds retained by Great Britain, by taking fish within the limits which has been principally done in the Bay Chaleur, (so called) near the shores of Cape Breton, Prince Edward's Island, Nova Scotia, &c.; the fact is well established by our fishermen, that in the Bay Chaleur last season, 100 to 200 sail of Americans at a time, were taking mackerel with the hook or jig, and within a few rods of the shore of Prince Edward's Island, thereby not only destroying the mackerel fishery, but destroying the voyages of codfish, as bait could not be obtained where mackerel catchers were, they being so much better prepared than the cod fishers, and the mackerel were found in greatest plenty near the shore.

6. As far as we know, the American fishermen do not take bait on the southern part of the coast of Nova Scotia, within the limits of the treaty, but frequently purchase bait from the inhabitants, and thereby are enabled to take large quantities of codfish, and making their privilege equal to our fishermen.

8. The people of the United States do enter our harbours in great numbers, but do not barter with the inhabitants to any extent, so far as comes to our knowledge.

19. We are aware that there are means to prevent foreigners from usurping rights and privileges on the British shores: our opinion is, that the only efficient means would be to fit out schooners, about 50 or 60 tons, painted and fitted like the American fishing vessels, as decoys, the same to be armed, &c., and to cruise along the shores most infested with foreigners, to be piloted by some experienced man, that could pass for a fisherman, and get any information wanted, without being known as an armed vessel, except when required. We do not think steam boats or any other vessels showing her true intention would be of any service. We will state one instance, which you may depend on as correct, that occurred last season, (in August,)—there were about 200 sail of American mackerel catchers on the east side of Prince Edward's Island, as near the shore as they could go with safety, say a  $\frac{1}{2}$  to  $\frac{1}{4}$  a mile, and were busily employed in taking mackerel, some laying to, others at anchor—at about noon, an armed brig was discovered coming down upon them, and before she came up with them they were outside the limits, and although many of them were boarded, yet none was detained, but were sent to sea; the brig remained in sight of our informants all night, and left the next day, and was not out of sight to leeward before the Americans were coming in sight to windward, and before night they all resumed their former stations. Had this been a decoy vessel, she could have detected the whole in the very act of taking fish within the limits; and when it was once known that there were decoys cruising amongst them, they would not venture within the limits.

21. We think the fisheries of this Province are already greatly injured by encroachment of foreigners; the Bay Chaleur in particular by the American mackerel catchers—and some prompt measures are required to secure the employment of the right of fisheries to the people of this Province.

Yours &c.

LOCKE & CHURCHILL.

James B. Uniacke, Esquire, Chairman of the Committee  
regulating the fisheries of Nova Scotia.

*Answers to queries contained in a Circular, signed by James B. Uniacke, Esquire, Chairman of a Committee appointed by the House of Assembly to inquire into the fisheries of Nova Scotia, dated Assembly Room, Provincial Building, 20th February, 1837.*

No. 1. Engaged in supplying the fisheries of Cape Breton over ten years.

2. It is so long since I have seen the treaty alluded to in the query, that I have little knowledge of it; but so far as Great Britain ever having granted to the United States

## APPENDIX.

States the privilege of fishing on the shores of Newfoundland and Nova Scotia, I cannot but think it has been prejudicial to the commercial interests of this country.

3. I can only state that I have frequently heard our fishermen say that the number of American vessels employed in the bank fishing from Cape Sable to Cape North, as well as their dressing the fish on those banks, is the means of keeping the fish off the shore, and causes the scarcity so long complained of.

4. I have not sufficient knowledge of the fishery here aluded to, to answer this query.

5. No doubt but the American fishermen frequently encroach on our fishing grounds, but such has never come under my view, and I can therefore say little about it.

6. It is said they do, and if so, the disadvantage to the fishery is too apparent to require much comment.

7. It is said the American fishermen, under pretence of supplying themselves with wood and water, frequently put into harbours on the shores of Nova Scotia; in doing which, there is no doubt but they supply themselves with bait, and catch fish within the limits—that they interfere with our net fishery, there can be no doubt, by the manner they use of raising shoals of mackerel with bait prepared for the purpose, and by their mode of catching them with a hook—in doing which I consider they *destroy, annually*, a greater quantity of fish than they take.

8. It is generally reported, and I believe it to be correct, that the people of the United States do, in their fishing vessels, enter many of the harbours and bays of Nova Scotia, and supply the inhabitants with many foreign contraband articles, thereby affecting the revenue of the Province, but to what extent I cannot say.

9. I am not aware that there is any net fishery carried on beyond the limits of three marine miles in this Province, but if so, there is no doubt but that the Americans often interfered with that description of our fishery.

12. I am told the American Government allows a tonnage bounty of twenty shillings to all their vessels employed in the cod fishery. The bounty they allow on other descriptions of fish I am not aware of; and there can be no doubt but fish of all descriptions, the catch of British subjects, when taken into their markets pay a high duty.

13. The best foreign markets for the produce of the British fisheries, are well known to persons engaged in that trade, and I believe the United States is a good market for all descriptions of pickled fish, but not for cod, as the duty is too high.

14. I do not think that American fishermen can pass through the Gut of Canso without being within three marine miles of the shore, and approaching the most important fishing stations of that part of the Province.

15. I cannot speak with any certainty as to the value of the salmon fishery on the coast of Labrador, nor to what extent trade is carried on in that Country in the articles of furs, feathers, oil, &c., but believe it to be very great.

16. I have always understood that the fishery on the Coast of Labrador and Newfoundland, is carried on by the British in various sized open boats, and not far from the land,

17. From conversation I have had with Americans at different times, I have always understood that their vessels are fitted out and navigated, both in the merchant service and fishery, at a much cheaper rate than the British, but I cannot state the comparative difference.

19. I have often thought it surprising that out of the large naval force employed on the North American station, that three or four smart sailing gun brigs or schooners have not been appointed to visit the principal fishing harbours on the coast, by which means there can be no doubt but the Americans would be deterred from taking the liberties they now do, and the fishery be protected; if such means are not adopted by Government, fast sailing cutters I should think would be preferable to steamers.

22. If our present grievances respecting the fisheries are properly made known to the British Government, there can hardly be a doubt but means will be adopted to redress them; and I cannot think it would be more beneficial to the inhabitants of Nova Scotia to permit the Americans to reside and form establishments in the Province, and conduct the fisheries from the shores thereof; nor do I think the Government would even agree to any such proposal.

C. M'ALPINE.

*Little*

## APPENDIX.

*Little Arichat, 20th March, 1837.*

GENTLEMEN—In answer to some of the queries in your circular, respecting the fisheries of Nova Scotia, I forward the following statement:—

*Question 1st.* I have been engaged in the fisheries of this Province for the last twelve years as a merchant.

*Question 3d.* The fisheries carried on from the United States operate to the disadvantage of the British fisheries in North America, generally, by enabling the citizens of those States to supply themselves with fish caught in a great measure on our grounds, thereby depriving British North America of almost the sole profit of furnishing them with that article—the Americans having very little good fisheries exclusively their own.

*Questions 5th and 7th.* They have in many instances. Last autumn they caught much fall mackerel in Antigonish bay, near the head of it, and within the limits. In Port Hood, also on the Western coast of Cape Breton—which harbour they make a place of general resort during the fall fishery—as many as sixty and upwards of their fishing vessels are sometimes anchored at one time, and have been known to be actually engaged in jigging mackerel in the harbour. A seizure took place there last year of American barrels, salt, &c., to a considerable extent—the articles were found landed on shore. It is also quite a common practice for them to anchor along the western coast of Cape Breton, and with a spring on their cables, jig mackerel within the limits. They likewise run in close to those shores and heave too, so that they may drift off (the fish trim the shores in the fall), and by baiting, catching, and scattering the bodies of mackerel, do very serious injury to our fisheries; for it is evident that by such practices the schools of fish frequenting our shores are thinned, annoyed, dispersed, and often turned out of their former course; and hence it is a received opinion among our fishermen, that these are the main causes of the failure of mackerel at our fishing stations for some years. Last season the fish were remarked to be very abundant in the Gulf, but would not take the bait on the jigging hook as freely as in former years.

*Question 8th.* Yes, to a great extent; as however it would be considered invidious to mention names and particulars, I will merely observe, that in April, 1836, business led me to the Gut of Canso—upon observing large quantities of corded firewood on the shores, I wished to purchase, but found it very difficult to do so. I had for answer, it was hauled out and prepared for the Americans—Captain so and so was to call for it, and had promised to bring such and such articles, and in fact, as they expected their American merchants daily, and had promised them their custom, it was not fair to sell the article to another; and this traffic is not confined to a few articles, nor to the Gut of Canso. The Provincial revenue is of course affected by these contraband commodities, as they prevent sales of similar merchandize which would pay duty.

*Question 11th.* From the American system of catching mackerel, even when prosecuted within their own limits, much injury has been done to the British fishery. In jigging, it is necessary to raise the fish to the surface with bait, &c., and keep them there as long as possible; the jigging and baiting then goes on, and the fish are carried along with the drifting vessel—it may be very far out of their accustomed course. Now considering that this operation is performed by several hundreds of vessels, scattered in all directions throughout the Gulf, and at the same time, its influence on the shoals of fish passing within its sphere must be extensive, as it combines catching, wounding, feeding and decoying the fish from the beginning of July till well through October—that such a system operates powerfully to the prejudice of the British fishery, is to me at least, too plain to admit a doubt.

*Question 12th.* The American empty barrels which I have seen, intended for the mackerel fishery, were branded with the words "*For Bounty.*" Our fish imported into the United States pay a duty of one dollar per barrel on herring—one dollar and a half per barrel on mackerel, &c. &c.

*Question 14th.* Our Government have answered this query in the affirmative. The narrowest part of the Gut of Canso, viz.:—The north west entrance from M'Millan's point to Cape Porcupine is usually reckoned a good mile across.

*Question 19th.* Fast sailing cutters, by all means, if well manned, and furnished with good

## APPENDIX.

good and sufficient boats: say, one stationed in the Gulf, to cruise about east point of Prince Edward Island, Antigonish bay, and along the western and north west coast of Cape Breton. Another from north west entrance of Gut of Canso, eastward along Manchester bay, and as far as Cape Canso; a third from Cape Canso to Halifax; and fourth from Halifax, westward. Some such system as the above it is believed by many would not only guard our coasts from foreign encroachments, but also put an end to smuggling among ourselves. An officer residing on shore has very little power over vessels anchored along a coast, or even in a harbour, where the inhabitants are few in number and far apart—his authority is often put at defiance. From it also a very salutary check would be imposed on the lawless multitudes which assemble from all quarters during the fishing months at our best station.

*Question 21st.* In turning my attention generally to this subject, much appears to demand our serious and immediate consideration. By existing treaties the Americans are already admitted into the *heart* of our fisheries—for although a boundary line of three miles in breadth encircles our shores, yet this is so difficult to be pointed out on the fickle element upon which it is drawn, that it is not easy to determine in very many instances, when our rights are invaded; and this will be at all times a ready excuse to the aggressor. To this original evil, therefore, we must submit; but let us improve and protect to the utmost of our power those resources which remain. The system of jigging has been introduced by our enterprising neighbors, and I am astonished that they have not commenced a net fishery within their own limits; it would be doing no more than is done on the coasts of Scotland. We know not indeed what improvements or new inventions may be introduced. The eagerness with which they rush to our shores and fishing grounds the moment the breaking up of the ice allows an entrance into the Gulf, and their increasing numbers every returning year, assures us that their energies are vigorously and steadily directed towards this branch of industry and of national aggrandizement; and these are sufficient causes, if not to awaken our fears, at all events to call upon us to provide in time if we can.

*Question 22d.* As to whether the British Government will or will not enforce the convention of 1818, surely we are not driven to the necessity of giving up our remaining rights of fishery for nothing; for unless the Americans had fishing stations of equal value, with those we possess, and would permit us to form establishments in them, and conduct the fisheries from the shores thereof, they cannot reciprocate equal privileges with us in those matters. The mere removal of the duty on fish would not be an equivalent. It is not to a foreign power, nor in many instances, even to our Parent State, that we must look for assistance; it is to ourselves. If the Americans put a duty on our fish, why do we add further duty by an expensive and useless system of inspection. If the American fishermen receive bounties to encourage them to prosecute the jigging of mackerel, &c. with advantage—why do we not also extend encouragement according to our means. We have the example of the Mother Country in this, and in the manner in which she fostered her herring fisheries by bounties, &c.

Thus, Gentlemen, it would appear, that besides foreign grievances, many of which are perhaps beyond our control, there are other evils, and their remedies too, which exist among ourselves. So little encouragement is there given to our fishermen that they are even anxious to hire on board of American vessels bound into the Gulf, and those being very often our best fishermen they are readily engaged; and this practice is becoming so general in Manchester bay, the Gut of Canso, and the western coast of Cape Breton, that it is a matter of serious consideration. Towards the latter part of June last, I had much difficulty in getting a crew of eight good fishermen to man a vessel for a mackerel jigging voyage; though I searched the Gut of Canso from one end to the other, most of the best fishermen were either already gone with the Americans, or engaged and waiting their arrival. Another evil, and that also of a serious nature, resulting from this practice is, that it ultimately tends to draw off our shore population to the United States. When a voyage is made the American skipper has seldom money to pay the wages, and if the goods he may have on board do not answer, (for to part with fish is out of the question, and *barefaced smuggling*,) our hired fishermen, particularly if he is a young man, rather than leave his wages unpaid, and wait their uncertain remittance, concludes to proceed with the vessel, and a winter's residence in the States generally terminates in his becoming an American citizen, and paves the way for others of his family and former companions to follow. To



## APPENDIX.

To apply remedies to all we complain of is not in our power, but surely something can be done to ameliorate existing grievances when they cannot be removed. Wherever our fisheries are worth the looking after, see that order and the protection of persons and property is maintained. This will gradually introduce capital and permanent establishments, and discourage the vagrant life which is too prevalent throughout our best fishing stations. Extend encouragement to bring into vigorous operation the jigging or catching of mackerel in the Gulf or at sea, in decked vessels only, and owned in the Province. Do away with the inspection law: the article will not bear the expense, and always has and must be sold by sample from the nature of materials which compose our barrels, and they cannot admit of any sudden or extensive alteration. We ought, however, to encourage the manufacture of *hard wood barrels*, by a bounty per barrel on pickled fish put up in them for exportation only. This would gradually introduce a better description of that article, and thus raise the character of our pickled fish. Barrels made of pine, or what is usually termed soft wood, are not capable of preserving fish for any length of time; and while we have comparatively abundance of hard wood, pine is becoming scarce, and of inferior quality, in many parts of the Province.

You will please to observe that I have principally confined myself to matters relating to pickled fisheries. As regards the cod fisheries, whether a tonnage bounty, or one on the quintal, or on salt, are questions which have frequently occupied the attention of the Legislature. To me it appears that a tonnage bounty, restricted to Labrador and other deep sea voyages, would be most beneficial. And as respects the interference of foreign nations with this branch of our fisheries, it is chiefly limited to the Magdalen islands and Labrador, with which places I have not much intercourse.

Your obedient servant,

WILLIAM CRICHTON.

No. 1. I am a merchant—have some knowledge of the fisheries and commerce of this Province—have been engaged in them for the last fifteen years.

2. I consider that the fisheries and commerce of this Province have been greatly injured by the operation of the treaty to which this query refers. That treaty by giving to the fishermen of the United States the right of fishing on the coast and within the waters appertaining to the remaining British Provinces, conferred on the former a privilege, which had it been retained exclusively, as of right it ought to have been for British colonists, would long ere this have induced many persons of capital and enterprise, and many experienced fishermen from the United States and other countries to have settled on the shores, bays and harbours of these Provinces; that they might be enabled to participate in these fisheries and in the advantages which our proximity of situation affords. In addition to this had American fishermen been precluded from our fisheries, their limits and the products of their fisheries would have been vastly curtailed, and the demand for our fish in their extensive markets, as well as in those of other nations which they at present contribute to supply, would have been immensely more favorable to our fisheries and commerce, as well as to that of the adjacent British Provinces, than it has been under the operations of that unfortunate treaty.

But had that treaty in exchange for the invaluable privilege which it conferred on the fisheries and commerce of the United States at the expense of these Colonies—had the treaty secured to the latter the only equivalent at all commensurate to their conceded rights, namely the right of sending to their markets in our own vessels free from all discriminating duties or charges the products of our fisheries, our coal and iron mines, plaister and grindstone quarries, &c. &c., this would have restored to us some of the advantages of which we had been deprived by the then recent dismemberment of the revolted Colonies, and as they had by the treaty fully acquired their former rights in the fisheries, we ought in justice to have had our former commercial privileges in referenceto that country secured to us. The proximity of the American Atlantic States to this Province—their comparatively wealthy population and the extensive markets which they afford for all, and the only market for many of our products—possessing also those articles which are of indispensable necessity to us, and for which vast sums in specie have been every year taken from this Province, the advantages



## APPENDIX.

advantages of a free and unrestricted intercourse with that country would have been of incalculable advantage to this Province, in a commercial and maritime point of view—our coasting and carrying trade, and with it ship building, would have been immeasurably increased, and have given extensive and profitable employments to an augmented maritime population, many of whom are now forced to seek for subsistence in other and more favored countries.

3. The fishery carried on from the United States operates to the disadvantage of the British fisheries in North America in a variety of forms. The immense quantities of fish of every kind taken by the Americans in the vicinity of these Provinces, while it lessens the quantity and interferes with the operations of our fishermen, enables them to supply their own extensive markets and to send large quantities to foreign markets upon terms extremely injurious to the interests of British fishermen.

4. I have not sufficient knowledge of the Newfoundland, Labrador, and other fisheries mentioned in this query, to enable me to answer it to any good purpose.

It is a notorious fact that the citizens of the United States have in innumerable instances violated the terms of the convention of 1818, by encroaching on the fishing ground still exclusively retained by Great Britain.

I cannot state instances from personal knowledge, but the facts are too obvious, to admit of doubt or contradiction; for several years past immense quantities of mackerel have every season been taken by American fishermen on the shores of Nova Scotia, New Brunswick, Cape Breton and Prince Edward Island, within the limits from which they are excluded by that convention. Great numbers of them resort every spring to the Magdalen islands, and vast quantities of herring are there taken by them, either within or at the entrance of the harbours, within which their vessels anchor and remain during the whole fishing season or until their cargoes are completed. To this fact I have been eye witness, having myself made a voyage to those islands in 1833, and remained there two weeks during the herring season, at which time upwards of twenty American vessels were fully laden with fish taken in the harbours or at their immediate entrance.

In many instances they also take codfish within three miles from the coast, but in this respect their encroachments are much less notorious and less the subject of complaint than the mackerel and herring fisheries.

No. 6. It is probable that American fishermen do in some instances catch bait on our shores or purchase it from the inhabitants, but I have heard of none such in this quarter.

No. 7. The first part of this query is answered by No. 5. I do not know that American fishermen interfere with the net fishery on our shores in any other way than by the effects which the quantities of mackerel and herring taken by them as stated in No. 5. But the great and continued decrease in the quantity of net fish taken on the shores and at our principal fishing stations since the American mackerel fisheries have been prosecuted to any considerable extent in the Gulf of Saint Lawrence and manner within stated, leaves no doubt on my mind that the net and seine fishery on our shores have been extensively injured by the American fishermen, and that their encroachments upon the limits assigned to them have been much more injurious to our fisheries than had they been strictly confined to these limits. This is the almost unanimous opinion of all those conversant in the fisheries on our shores. I believe it possible that the Americans may in some instances have raised schools of fish near the shore and land them into deep water, but in general they take them without scruple wherever they can raise them. I have no personal knowledge on the subject, but state this as the general opinion in this quarter.

8. As far as my knowledge and information extends, smuggling and bartering goods and merchandize for fish, between the people of the United States and the inhabitants of this country has been carried on to a very small extent. I have understood that this illicit traffic has been much more extensive in other parts of the Province. I know that considerable quantity of mackerel have been sold at Fox Island within the last two years, to the Americans for cash.

9. I do not know of any net fishery carried on from this Province or from any islands, bays, or harbours belonging to it, beyond three maritime miles from the shores thereof.

## APPENDIX.

10. I cannot give any satisfactory answer to this query, having never heard any opinion on the subject.

11. The permission granted to American fishermen to take fish at the distance of three marine miles from the shores of this Province, and their system of jigging and catching them, even had they confined themselves to their assigned limits, would no doubt have been greatly prejudicial to the British fisheries, by lessening the quantity, and thereby subjecting our fishermen to greater loss of time and expense in making their fares, and to a much greater chance of failures, by occupying the fishing shoals or banks in the vicinity of the harbours to the great detriment of the inhabitants and of the boat fishery, which to many of them is the only source of employment and subsistence, and thereby discouraging and retarding the settlements of our shores and harbours, by throwing the offal and garbage of their fish overboard on the fishing ground, particularly the offal and bones of codfish, which are said to be extremely destructive to the fisheries, by disturbing and breaking the schools of mackerel, and causing them to deviate from their wonted course, and thereby greatly injuring our net fisheries, and by supplying their own and foreign markets to a great extent with American fish caught in British waters, to the great loss and injury of British and Colonial fishermen and merchants.

12. I have understood that liberal bounties are allowed by the American Government to encourage the fisheries, but to what description of fish or in what manner it is allowed I cannot answer, neither do I know precisely the amount of duty enforced by that Government on the product of the British fisheries when imported into the United States; but I have understood that the latter has been so heavy as until lately to have nearly prevented British fish from going to American markets, and in fact has deterred many American fishermen from becoming residents in this Province, who, had the markets of that country been unrestricted to persons residing in this, would have settled on our shores, and become useful inhabitants of this country.

13. I have reason to believe that were it not for the heavy duty enforced by the American Government on the product of our fisheries, that country would afford the best as well as the nearest and most advantageous markets for our pickled fish. I cannot at present say what foreign markets are the best for cod and scale fish.

14. I apprehend that the American fishermen have the same right by the convention to pass through the Gut of Canso that they have to sail along our coasts within three marine miles from the shores. They cannot pass through the Gut without being within much less than three miles from the shore, that strait not much exceeding one mile in breadth, in any part thereof.

15 and 16. I am unable to say any thing on the subjects embraced by these queries.

17. I should think at present that British fishing vessels might be fitted out fully as cheap as American in consequence of the high price of provisions in that country.

18. I have not known any instances of the kind mentioned in the query.

19. I am of opinion that until some effective system be adopted for the encouragement of our own fishermen, either by bounties given in such way as will be obviously for their advantage, or by such a system of trade as will enable them to purchase their supplies, and sell their fish upon nearly as favorable terms to the resident merchant or colonial trade as to the American fisheries, it will be extremely difficult to interest our resident fishing population generally in any measure that will tend to banish the latter from our shores; as long as our fishermen can gain more by dealing with the American fishermen, as long as they are dependent upon American fishing vessels for their only or principal source of probable employment, so long will they encourage their approach to our shores, and so long will preventive measures of every kind be more or less frustrated. If bounties were allowed by our Government to encourage the fitting out of vessels to be employed in the fisheries, either on the tonnage or the catch, and if our trade with the United States were less restricted, it would remove much of the feeling engendered by the comparative protection and encouragement given by the American Government to the interests of their fishermen, while ours have been in a great measure unprotected, and left to their own limited and curtailed resources. I think small armed steam boats manned with crews interested in the protection of the fisheries, and encouraged by a liberal share of the prizes that might be made, would be much the most efficient mode of guarding the fisheries on our coasts.

## APPENDIX.

20. In answer to this query I can only speak in reference to the trade and fisheries in this part of the Province. There can be no doubt that these have suffered much more from foreign interference since the date of the convention of 1818 than at any previous period, but this I apprehend has arisen from the early and continued, and on our part unresisted, violations of the terms of that convention; had these terms, however far they come short of what was due to the natural and inherent rights of British colonists, been strictly enforced, they would in my humble opinion have proved more beneficial to our fisheries and commerce than the most unlimited right conceded by the first treaty.

21. Some of the evils which have already resulted from the operation of the treaties to which these queries have before had reference, and from the want of adequate encouragement and protection to our fisheries, have been stated in the foregoing answers.

To these may be added, that by these treaties and their effects this Province with the other maritime British Provinces in North America have been deprived of a large and invaluable share of the rights appertaining to their natural situation, and which the circumstances otherwise imposed upon them at that period required to have been reserved to their exclusive benefit, as far as related to foreign participation. The injuries inflicted upon our maritime and commercial population by the almost unlimited encroachments of foreigners upon their reserved rights, and in consequence of the feeble and unavailing protection hitherto afforded them, have already operated to induce a belief that our fisheries have been abandoned to foreign aggression, and that the only remaining chance of deriving any substantial benefit from them is to take refuge under the more liberal, and as respects their claims, more just policy of another country. These sentiments so unfavorable to the interests of this Province have already induced numbers of our fishermen from this quarter to embark in the American fisheries—and nothing short of the most prompt and vigorous measures of protection and encouragement will restore the general confidence in the wisdom and justice of our Government in this respect, and prevent a great portion of our young and active fishermen from leaving the country.

22. I do not hesitate to answer this query in the affirmative, and would observe further that if the American Government would consent to allow the products of our fisheries to be sent to their markets in British or colonial vessels duty free, it would in my humble opinion be advantageous to this Province to permit their fishermen to reside and form establishments in it, and conduct their fisheries from its shores. I believe the principal hindrance at present to their settling in this Province is the duties to which in that case their fish would be liable at the American markets, and if these were removed and permission granted by our Government, there is little doubt that our numerous harbours, many of which are at present unsettled and waste, would be filled with an active and enterprising population. I apprehend the Province would gain by such a measure even at the expense of abandoning the convention of 1818.

FRANCIS COOK.

*Guysborough, 17th March, 1837.*

*Mr. Philip Carten, of Liverpool, Nova Scotia, to the eighth Query.*

Was at Prospect October 1835; had proceeded there with money and some goods to purchase mackerel. Whilst there an American schooner came to lower Prospect, having on board gin, boots and shoes, apples, soap, with other articles, and opened a regular trade with the fishermen, and sold the above goods, taking in return mackerel. A schooner between 80 and 90 tons took away as much of the goods and money they also brought could procure. Went across the land to a place called Tunis Bay, where they were in the habit of hauling seines; there he found two more American vessels; the people on board purchased the mackerel—Mr. Carten could not obtain any, though the money was offered and other articles at as low a rate as the foreigners. There was a vessel there likewise belonging to Yarmouth, chartered by merchants of Saint John, New Brunswick, and she had a large and valuable cargo on board for the purpose of purchasing mackerel, consisting of flour, soap, dry goods, tea, and other articles, which he offered to sell on as reasonable terms as Americans—say flour at seven dollars, and other articles equally low. Could not obtain any mackerel whatever until the foreigners were supplied. Apparent could purchase or procure no mackerel, but what he caught in his own nets. Captain of New Brunswick vessel went on shore, offered his goods, &c.

## APPENDIX.

as above to the people, but received for answer he could not get any mackerel until Americans were supplied. Feeling indignant at the preference given to foreigners, told them they had no business there, that if they did not immediately clear out of the harbour, that he would immediately proceed to Halifax, and bring down a sufficient guard to seize their vessels; also stated to the people that they were injuring themselves, and robbing the country of its living, taking away the trade from the coopers and employment from the coasters, and even from their own neighbors who could all be employed in curing the article which they were relinquishing to foreigners as they took them out of the seines, and without any labor expended on them. The Americans felt alarmed, but remained until they got their loads; that when they were loaded there were two others came down from Blind Bay, where they had been for the purpose of purchasing mackerel, to Tunis bay, but whether they succeeded in getting loads or not, cannot say; afterwards several other American vessels came to same place—they were not enabled to buy any fish, no seines being hauled; that they went and bought the fish in bulk from those who had previously caught them; they bought them for 17s. 6d. for the two hundred pounds, though at the same time the persons they bought them of might by incurring the expense of a barrel, 2s. 6d., and half bushel salt, 10d., and the labor within themselves, have sent them to Halifax, and obtained from five dollars twenty five cents to five dollars fifty cents per barrel.

*Brier Island, March 13.*

SIR—In reply to yours of the 20th February.

No. 1. I have been upwards of 40 years on Brier Island, and have been engaged in fishing business and in the exportation of fish to foreign markets.

2. As my information extends no farther than the Bay of Fundy, I cannot correctly answer this query; there is but a small number of Americans that fish in the Bay of Fundy.

3. The only disadvantage in my opinion is that the fishermen of the United States being prohibited from the privileges of the shore fisheries, that many of them run in shore and heave over the offal of their fish to the disadvantage of the boat fishery.

4. Know nothing of that coast.

5. The fishermen from the westward of Mount Desert in general are quite punctual to the treaty, but from Machias, Eastport, and near the lines, there are many who pay no regard to the treaty whatever, and take fish within half a mile of shore. Last season there were a number of vessels from near the lines that took considerable mackerel in St. Mary's Bay, where it does not exceed three miles in width.

6. In harbour they do not set their nets, but in the out coves and creeks on this coast I am informed they do, and that the inhabitants in many places set their nets and furnish them with bait.

7. They frequent the shores, and many of them fish within three miles; I have never known them to raise schools of fish within their limits and entice them upon their own privileges.

8. I have not heard of any fishermen from the United States to trade or barter goods with the inhabitants upon this coast, but I am informed they do to a considerable extent in the eastern part of this Province.

9. There is no net fishery carried on in this Bay beyond the limits of three miles except the island of Grand Manan.

10. I have never known of any difference between the inhabitants of those islands and the fishermen of the United States. I have collected light duty for three years past, and find that they are all informed of the treaty by the Collectors of their own ports, I have made it my duty to caution them on the subject, they appear to be willing to submit to the treaty with the exception of a few, as before stated from near the lines, which are manned chiefly with the people of our own Province.

11. As to the cod fishery carried on by the Americans in the Bay of Fundy I do not think an injury, excepting that they do sometimes heave the offal over on the small boat fishery.

12. The Government of the United States give four dollars per ton on the cod and mackerel fishery, the duty on mackerel and herrings of the British fishery is something like 1 dollar 40 cents, to 1 dollar 50 cents, on codfish 1 dollar.

## APPENDIX.

13. The United States is the best market for mackerel, herrings, pollock and large codfish.

13. Cannot say.

15. do. do.

16. do. do.

17. The Americans fit out the cheapest; they receive a bounty of four dollars per ton and have far the best market, by which means they can pay their men more wages than we can.

18. I have never heard of any insults offered to our people in this part of the Province.

19. I think that an armed force would not be of much service in the Bay of Fundy.

20. It has ever been my opinion that the treaty of 1783 is the best; were the Americans allowed full privileges with our own people they would protect the fisheries.

21. It is my opinion if the Government of the United States would allow the produce of the British fisheries to be imported in the United States under the same restrictions as their own fishermen, then it would be best to allow them the same privileges with ourselves on our coasts. It would encourage our citizens to fit out larger vessels in the fishery business, and in the winter season would give them employ to take their fish to the southern States, which is the best market. Our young men would then be able to stay at home and fish instead of going to the Americans for employ; there is hundreds of our people who go to the United States during the fishing season for employ, because they can get more wages; this is for want of a market in our own country. In the southern States for the last two years mackerel No. 1 has been 12 dollars, No. 2 from 10 to 11.

ELISHA PAYSON.

James B. Uniacke, Esquire.

*Answers to questions proposed by the Committee of the House of Assembly relative to the treaties between Great Britain and the United States.*

Question 1. Fishing is our profession.

3. The Americans by fishing in great numbers on the coast, break the schools of fish before they get in shore, consequently preventing our fishermen from procuring them; as a proof of the above statement, fish were much plentier and could be taken much nearer the shore during the years of the American war.

4. We have followed the Labrador fishery from seven to seventeen years; until late years the Americans have frequented the Labrador shore in great numbers, and continued the fisheries there as long as it would pay them; they have also been in the habit of seining codfish there, thereby injuring the fishery by taking many small fish that otherwise would not be taken; it also has a tendency to drive the schools away. The fishery retained by Great Britain (except the Newfoundland fishery), bears no comparison with that granted to the United States.

5. We do not know that the Americans have violated the treaty by encroaching on the fishing grounds, and as regards the cod fishery we do not think that they wish to come any nearer the shore than they are allowed by treaty. Our open boats seldom fish as near as three miles from the shore, and very often five leagues in the summer season.

12. The American Government allow a bounty on the tonnage of vessels below ninety tons of four dollars per ton. They impose a heavy duty on the productions of the British fisheries when imported into the United States.

16. The cod fishery on the Labrador is carried on altogether in boats from very near the shore (say one hundred yards) to three miles distance from the land.

17. We do not think that there is much difference at present between the outfitting of American and British fishermen.

18. The French pretend to a right of fishing at Belleisle island, in the Strait of Belleisle, and we have been forcibly prevented from fishing there by them, thereby preventing us from obtaining a load in those years of scarcity, which we might easily have done had we not have been so prevented. The French also fish on the coast of Labrador.

21. If the Americans are not prevented from fishing on our shores and the coast of Labrador

## APPENDIX.

Labrador we have no doubt but a stop will be put to the fisheries in a few years, or at least so far injured as not to be worth following.

22. We do not think that it would answer any good purpose to allow the Americans to settle on our shores, and prosecute the fisheries therefrom; on the contrary we think it would be injurious to us in every shape.

Signed William Cunningham, James Kenny, Jethro Covell, Henry Brown, Joseph Kendrick, and Alexander Nickerson.

*Barrington, 22d March, 1837.*

*Barrington, 22d March, 1837.*

SIR—I received per post, your printed circular of 22d ultimo, requesting answers to several queries relative to the treaties now in force regulating the fisheries of Nova Scotia. It would require some time to procure the necessary information on every question; the want of copies of the several treaties prevent our answering as fully to each question as we would wish. I have however obtained answers to some of the queries, which I beg leave to enclose for the information of the Committee appointed by the House of Assembly, and as I procure further information will forward it on; I also enclose a letter from Mr. Snow, of Port Latour, which may give some information on the subject required; all the persons except two who have signed the enclosed paper are or have been masters of Labrador fishing vessels: numbers might be procured to subscribe their names to the same, but I did not think it necessary. There are others who will be able to give answers to some of the questions that those persons could not subscribe to.

I am your obedient servant,

WILLIAM B. SARGENT.

James B. Uniacke, Esquire, Halifax.

### No. 3.

*The following affidavits were received from various parts of the Province of Nova Scotia, in answer to the Circular No. 2.*

Personally appeared John Graham, of Guysborough, in the County of Guysborough, mariner, and maketh oath, that in the month of May last he went on herring fishing voyage from Guysborough to the Magdalen Islands, on board the schooner Glasgow, owned by himself. He was also master of the said schooner, arrived there on the 3d of May; at that time there were upwards of 40 sail of American vessels there, and a few days afterwards their numbers was increased to about 90 sail. Deponent remained there upwards of three weeks; during all that time the Americans fished and set their nets in the harbour; deponent believes there were more than 300 nets belonging to the Americans fished in harbour Le Bear, and the other harbours on these islands, and about 30 seines; nearly all their vessels lay in the harbours during the fishing season. There were but very few British or Colonial vessels, deponent thinks not more than nine or ten at all the islands; a great proportion of the American vessels made good voyages, some of them had as many as 700 barrels, and most of them from 300 to 400 barrels of herrings. Deponent has reason to believe that from 40 to 50,000 barrels were taken by the Americans at these islands last spring; some of their vessels made two voyages during the herring season; a great proportion of the fish taken by them at these islands were either within or at the immediate entrance of the harbours; and deponent further saith, that he verily believes that the immense quantities of herring taken by the Americans at these islands these few years past have already greatly injured the herring fisheries on our coasts, and if continued will ultimately ruin them.

Deponent made a voyage to Quebec last summer, and both in going and returning he saw many American vessels fishing near the shores of Prince Edward Island, New Brunswick and Cape Breton, many of them within half a mile of the shore. He saw about thirty sail fishing near the east point of Prince Edward Island at one time, within three miles of the shore, some of them within half a mile. Deponent believes and is assured that the extensive encroachments of American fishermen on our fishing grounds, and particularly on the shores and harbours in the Gulf of Saint Lawrence,

## APPENDIX.

is greatly injurious to the mackerel and other fisheries of Chedabucto bay, and on the coast and harbours of this Province generally, and if continued to the extent that they have been for several years past will in the end prove utterly ruinous to these fisheries.

JOHN GRAHAM.

Sworn to before me at Guysborough, this 10th day of March, 1837.

WENTWORTH TAYLOR, Justice Peace.

Personally appeared Thomas Peart, of Guysborough, in the County of Guysborough, yeoman, and maketh oath, that he has for many years been employed in the fisheries at Fox Island, and in Chedabucto bay. He feels certain that the failure of these fisheries for the last four years has in a great measure been owing to the great quantity of fish taken by the Americans in the Gulf of Saint Lawrence. He thinks so because in former years the mackerel fishery at Fox Island rarely if ever failed for two successive years, and for every year in which they failed there were generally three or four years in which they were abundant, but in the last five years they have been extremely scarce every year. Deponent believes that if the Americans were strictly confined to the limits of the existing treaties, in taking fish, they could not materially injure our shore fisheries.

THOMAS PEART.

Sworn to before me this 10th March, 1837.

WENTWORTH TAYLOR, Justice Peace.

Personally appeared John M'Pherson, of Manchester, in the County of Guysborough, yeoman, who being duly sworn, maketh oath and saith, that he was employed during the months of July and August last for seven weeks, on a cod fishing voyage, on board of an American schooner called the Melvina, of Duxbury, in the Gulf of Saint Lawrence. That during the said voyage, the said vessel generally kept from twelve to fifteen miles from the shore, excepting two days in which they fished for mackerel at the east point of Prince Edward Island, within one and a half miles of the shore; that during the said two days and while fishing for mackerel as aforesaid, deponent saw about one hundred and seventy five sail of American vessels, all fishing for mackerel within the distance of a mile and a half from the shore on the northern side of the aforesaid east point—they were all fishing with lines, and all within an extent not exceeding two miles. Deponent understood that the American vessels usually fished for mackerel near the shores, and near to each other, that they might keep the fish in a body and near the surface. He has also understood from various persons who have been on mackerel voyages with the Americans, and from what he saw himself during his said voyage, that were these vessels kept at the distance of nine miles from the shores they could neither make profitable mackerel voyages or greatly injure the run of the mackerel on these shores; and deponent further saith, that he has been for many years engaged in the mackerel and other shore fisheries in Chedabucto bay, and has not the least doubt that the continued failure of these fisheries for several years past has been in a great measure owing to the quantity taken by American vessels in our waters, and contrary to the stipulations of the treaties which have reference to these fisheries.

JOHN M'PHERSON.

Sworn to before me at Guysborough, this 7th day of March, 1837.

WENTWORTH TAYLOR, Justice Peace.

Personally appeared Richard Reeves, a resident inhabitant of the Gut of Canso, in the County of Guysborough, and being duly sworn, deposeth and saith, that he has for many years been conversant with and engaged in the mackerel and herring fisheries at Chedabucto bay, and verily believes that the continued failure of these fisheries for several years past, has in a great measure been owing to the great quantity of these fish taken by American vessels in the Gulf of Saint Lawrence, and within the distance of nine miles from the shores of Cape Breton and Prince Edward Island, which deponent is informed is the distance limited by the existing treaties, within which foreign vessels are not allowed to take fish on these shores; and deponent further saith, that in his opinion were American vessels confined to the limits of the treaty, or in other words, kept to the distance of nine miles from the shores of this Province, New Brunswick and Prince Edward Island, they could not materially injure the mackerel and herring fisheries of this Province.

RICHARD REEVES.

Sworn to before me at Guysborough, this 6th day of March, 1837.

WENTWORTH TAYLOR, Justice Peace.

Personally



## APPENDIX.

Personally appeared Robert Irwin, of Harbour au Buchet, in the County of Sydney, yeoman, and maketh oath, that in the month of August last, he went out on a mackerel voyage on board the Commodore, an American schooner from Gloucester, in the State of Massachusetts, was out nine weeks, fished principally on the shores of Cape Breton, between Port Hood and Marguerite, and within one and a half miles of the land, sometimes within half a mile, 225 barrels during the voyage. There were at various times from 40 to 50 American vessels in company on the said shore during the time deponent was there, all fishing within three miles of the shore, and for the most part much nearer than three miles. Their mode of fishing is by grivelling or mixing herring or mackerel, either salt or fresh, or mackerel offal, and mixing it with water, and throwing it overboard with a ladle; when the school is thus raised they either lay the vessel to and drift, or if the weather is fine, they come to anchor and fish with jigs, or when the fish will not bite, as is sometimes the case, with gaffs. This they do as long as the fish remains; to keep them on the surface they continue throwing bait; sometimes 100 barrels are taken in one day, and frequently 20, 30 or 40 barrels to each vessel.

No. 7. Deponent does not know that the Americans interfered with the net fishery of the inhabitants on these shores. Does not know that they raised the fish near the shores and lured them into deep water; as far as he saw they made no scruple of fishing wherever they could raise the mackerel, but deponent thinks it quite practicable for fish to be thus raised and lured from the shores.

11. Thinks that the permission granted to American fishermen to take fish at the distance of three miles from one shore, would even if strictly adhered to on their part be very prejudicial to our net and seine fisheries, by baiting and keeping them off the shores and from pursuing their proper course and in their usual season. The system of gaffing, not jigging, is also injurious, as many fish that escape from the gaff are thereby wounded and destroyed.

Deponent believes that steam vessels would be the most effectual mode of preventing the encroachment of American vessels in the Gulf of Saint Lawrence. If two small armed steamers were kept running alternately from the Gulf along the western shores of Cape Breton to Marguerite, thence to the east point and along the northern shore of Prince Edward Island and the eastern shore of New Brunswick to Cape Gaspe, it would be in their power to give the most efficient protection to these fisheries.

ROBERT IRVIN.

Sworn to before me at Guysborough, this 17th day of March, 1837.  
WENTWORTH TAYLOR, Justice Peace.

Personally appeared John M'Kay, of Manchester, in the County of Guysborough, yeoman, and maketh oath, that in the month of May last, he was employed on board of an American schooner called the Armada, of Well Fleet, in the State of Massachusetts, on a voyage to Magdalen Islands; that said vessel remained at said islands for nearly a month, and during all that time lay at anchor in Harbour Mazory; that there were in all about 25 American vessels in said harbour during the time he was there; they all made good voyages, and caught their fish either in the harbours or in their own immediate vicinity. The vessels got on an average 400 barrels each. Deponent firmly believes that the quantity of herrings lately taken at these islands greatly injures the herring fishery at Chedabucto Bay and other parts of this Province.

Deponent further saith that he was also on board the aforesaid vessel on a mackerel voyage in the Gulf of Saint Lawrence for six weeks in July and August last. During said voyage there were taken on board of said vessel about 270 barrels; one third of which were taken near the north cape of Prince Edward Island at the distance from three to six miles from the shore; remainder was taken on the banks at a great distance from the shore; saw a great number of American vessels fishing close into the shores of the said island, and understood that some vessels fished at times in the harbour.

JOHN M'KAY.

Sworn to before me at Guysborough, this 10th day of March, 1837.  
WENTWORTH TAYLOR, Justice Peace.

Personally appeared James Howlet, of Manchester, in the County of Guysborough, yeoman, and maketh oath, that in July and August last he was employed on a mackerel voyage



## APPENDIX.

voyage on board of an American schooner, called the Fairplay, of Eastport. That during the said voyage about 250 barrels were taken on board said vessel. Fished between Margaree island and the shore of Cape Breton for five days. Saw a great number of American vessels fishing within one mile of the shores of Cape Breton and Prince Edward Island. Thinks he saw about sixty sail so fishing. Believes that the quantity taken by American vessels in the Gulf is very injurious to the mackerel fisheries on our shores.

JAMES HOWLET.

*County of Pictou, ss.* Frederick Green, of the East River of Pictou, in the County of Pictou, mariner, maketh oath and saith, that during the summer of the year 1836 this deponent was engaged by George Hanley, as master of the shallop Kate, on a fishing voyage on the coast of Cape Breton and Prince Edward Island, and the adjacent parts. That in the month of June deponent was stationed between Wolfe island and the main land of Cape Breton, the Straight between the island and the main land being about four miles in width; that at that time there were from ninety to a hundred sail of American vessels at anchor in the said straights fishing mackerel, by jigging them as it is called; that this deponent had his nets set at the stern of the shallop, and fastened to a mooring at some distance astern; that one of the American vessels ran in close upon this deponent, who told the master of the same that he would run foul of his said nets, whereupon the American replied that deponent had no right to set his nets there, and the American kept on his course, and ran through deponent's nets, which caught the rudder of the American vessel, the master of which got out his boat, and cut away deponent's nets, and carried away part of them with him.

That in the month of August following deponent had other nets set, and one morning he found them gone, and is quite positive they could not have gone adrift as they were well secured; that upon going on board one of the Americans he found his nets, and having claimed them was told by the master that he had found them adrift, but deponent is sure they were drawn by the Americans, and designedly taken away.

That deponent continued in the station above mentioned from June till November, during all which time great numbers of American vessels were engaged fishing along the said coasts, and they constantly fished close into the shores, and indeed from the dexterity with which they manage their vessels much closer than this deponent thought it safe to venture.

That when this deponent spoke to any of the Americans about their infraction of the treaty, they insisted that the restrictions therein contained extended only to the fishing of cods, and that they had as much right to fish mackerel there as the subjects of Great Britain.

And deponent further saith, that the nets destroyed as aforesaid were worth sixteen pounds and ten shillings, and cost that price, and he verily believes he would have caught from one hundred and fifty to two hundred pounds worth of mackerel if the same had not been so destroyed, as above sworn to; and that all the fish deponent caught except a few barrels caught before the nets were destroyed, he caught by jigging, to which he was forced to resort in consequence of the loss of the nets, although quite unprepared to fish in that manner.

And deponent lastly saith, that he has been upwards of twenty years engaged in the fishery, and he is quite positive that if the Americans were restrained from fishery within three marine miles of the shores they could not succeed in the mackerel fishery, as they could not raise them in deep water; but at present they catch immense quantities, and completely destroy the net fishery. This deponent has seen upwards of seventy American vessels, who caught in two successive Sundays, upon an average, by their own admission, one hundred and twenty barrels each, making in all in the two days, sixteen thousand eight hundred barrels, worth about thirty thousand pounds.

That when the American carried away the nets as aforesaid, they were set between the shallop and the shore, which was not more than fifty yards distant; and the people who inhabit the shores cannot sometimes set their nets for fear of the Americans carrying them away.

FREDERICK GREEN.

Sworn to before me, this 13th March, 1837.  
DAVID CRICHTON, Justice Peace.

*Digby,*

## APPENDIX.

*Digby, County of Annapolis, March 25, 1837.*

We, the undersigned, do hereby certify and make oath, that it pleased Heaven in the course of the month of August last, to send in the narrow and deep bay of Saint Mary's, in Digby aforesaid, immense shoals or schools of mackerel, so that the inhabitants on the shores of said bay could take them in great abundance in their little shore boats, and even when standing on the shores with lines of two or three fathoms long. But unfortunately for the inhabitants those schools of mackerel were followed in by more than thirty sail of American fishermen, who pursued them more than thirty miles up said bay, where they lay at anchor for a fortnight, and where the bay was not more than from three to five miles wide, and by throwing over great quantities of bait enticed the mackerel from the shores of the bay, to the very great injury of the inhabitants, and loaded their vessels in defiance of them.

FREEMAN TERFRY,  
RICHARD LEONARD,  
ABRAM GAVEL.

Sworn before me the day and date above.  
E. MORTON, Justice Peace.

This is to certify unto all whom it may concern, that on or about the months of May or June last, we, the undersigned, did see several vessels (which we have every reason to believe were Americans) fishing within two miles of the shores of Parrsboro', to the great annoyance and injury of His Majesty's subjects by throwing the garbage overboard.

*Given under our hands at Parrsboro', this 6th day of March, 1837.*

William Hatfield, Junior, John Plushaw, Ralph Pearsons, A. G. Howard, John Morris, John L. Morris, Joshua Hazel, Isaac Hatfield, William Turpel, James Hatfield, James A. Hatfield, John Hatfield, Samuel Maynard.

This is to certify unto all whom it may concern, that on or about the month of May or June 1835, I, the undersigned, did see an American vessel fishing on the coast and within one mile of the shore of Parrsboro', to the great injury and annoyance of His Majesty's most loyal subjects, by throwing garbage overboard.

*Given under my hand at Parrsboro', this 7th day of March, 1837.*

GEORGE WINTER.

Sworn to before me, at Parrsboro', this 7th day of March, 1837.  
JAS. RATCHFORD, Justice Peace.

This is to certify unto all whom it may concern, that on or about the months of May and June last, we, the undersigned did see several vessels, which we do verily believe were American, fishing on our coast, and within one mile of the shore of Parrsboro', to the great injury and annoyance of His Majesty's most loyal subjects, by throwing garbage overboard.

*Given under our hands at Parrsboro', this 7th day of March, 1837.*

GEORGE WINTER,  
WILLIAM BREALEY.

This is to certify unto all whom it may concern, that on or about the months of May and June last, we, the undersigned, did see several vessels (which were American) fishing on our coast, and within one mile of the shore of Parrsboro', to the great injury and annoyance of His Majesty's most loyal subjects, by throwing garbage overboard.

*Given under our hands at Parrsboro', this 6th of March, 1837.*

JOHN W. MORRIS,  
L. M. LOVELY.

Sworn to before me, at Parrsboro', this 6th day of March, 1837.  
JAS. RATCHFORD, Justice Peace.

Henry Cowley, of Canso, in the County of Guysborough, merchant, maketh oath and saith, that he has been engaged in fishing and trading in fish in the said County for the last six years, and during that period he has repeatedly seen American fishermen introduce articles of American manufacture into the said County in exchange for fish, and repeatedly violate the terms of the treaty now existing between Great Britain and the United States, both in Chedabucto bay, Antigonish bay, as well as on the shores of

## APPENDIX.

Prince Edward Island, and Cape Breton; that deponent has repeatedly known the skippers of American vessels to land one or more of their crew, with supplies and money, to purchase fish from the inhabitants of Chedabucto bay, and also to procure fish by nets, which are taken on board the vessels when on their homeward voyage from the fishing grounds; that during the years 1834, 1835, and 1836, American vessels have traded from Canso to Crow harbour, almost within sight of the Custom house, without any measures having been taken to check a traffic so ruinous to the revenue of the Province; that in each of the above named years deponent has counted from 30 to 60 sail of American vessels between the east point of Prince Edward Island and Saint Peter's bay, fishing within one mile of the shores, and which vessels, on the approach of stormy weather, frequently run into the harbours of said island, and within deponent's knowledge, trade with the inhabitants; that it is very common to see from 50 to 60 sail of American vessels engaged in the cod fishery at one time, in the harbours of Souris and Three Rivers, in said island, where they set their bait nets, and if they are not well fished, do not scruple to rob those belonging to the inhabitants, and assault the owners if interfered with; that from 50 to 60 sail of similar vessels proceed to the Magdalen islands, and there in direct opposition to the wishes of the inhabitants, take from 15 to 20,000 barrels of herring, interfering with British subjects, and in some cases preventing them from setting nets, except in such places as the Americans point out; which outrages they are enabled to commit with impunity from their overwhelming numbers; that deponent has held repeated conversations with the commanders of American fishing vessels, who invariably allow that after the month of July, when mackerel keep the shores of Prince Edward Island, not one vessel in a hundred could procure a fare if confined to the limits defined by treaty; and who at the same time boast, that if permitted to visit the fishing grounds, to which they now resort, for four or five years, that they will render them as unproductive in mackerel as their own coasts now are, from their immense numbers, and destructive method of fishing.

HENRY COWLEY.

Sworn before me, at Arichat, this — day of March, 1837.  
JOHN JEAN, Justice Peace.

William Dunbar, of Pictou, in the County of Pictou, yeoman, maketh oath that this deponent hath been for a period of nine years attending the fisheries on the coast of Labrador and the shores of this Province, and was during the last summer so employed on the shores of the same; that during the month of August whilst this deponent was so employed attending the fisheries, he saw from about 60 to 70 sail of American vessels lying at anchor from Mabou to Margaree islands, within from one half mile to two miles from the shore, and were busily engaged catching fish by jigging them; that during a whole fortnight whilst this deponent was there they continued so engaged; that owing to so many American vessels frequenting the said fisheries the net fishery is completely stopped and ruined; that when the Americans are fearful of being detected within the three marine miles of the shore they prepare a quantity of bait, which in abundance is thrown overboard so as to entice the fish; that when the shoal or school of fish discover it, they follow the vessels until they reach off from the shore the three miles, when they are immediately taken, and thus great injury is done to the fishermen and others concerned in the fisheries; that the Americans do, during the fishing season enter the harbours and bays on the coast of Nova Scotia, and trade with the inhabitants for fish, and this deponent knows of his own knowledge of their trading in this way during the last two years, particularly at Canso and the Gut of Canso, where they bartered tobacco, tea, shoes, boots, cottons, and other dry goods in payment for fish, and this system of smuggling is carried on during the whole fishing season.

That from so many Americans being employed during the last summer's fishery, at Port Hood, this deponent was afraid to set his nets, and was obliged to return to the Gut of Canso; that deponent with great difficulty got even into Port Hood, and in doing so came in contact with one of the said American vessels, there being at this time sixty seven sail of American vessels, which number this deponent distinctly counted.

That almost every night during the fishing season the said Americans anchor in the harbours on this coast.

WILLIAM DUNBAR.

Sworn to, at Pictou, this 11th day of March, 1837, before me.  
DAVID CRICHTON, Justice Peace.

Charles

## APPENDIX.

Charles Stewart, a native of Liverpool, Nova Scotia, states that he was employed the past season on board an American vessel fitted out from Cape Ann, for the purpose of taking mackerel in the Bay Chaleur; that they fished partly on the north side of Prince Edward's Island, and partly off Chestigo, in the island of Cape Breton; that a great part of the fish was taken by the said vessel within three miles of the shores, and some of them not more than a quarter of a mile off; that the best fishing is near the shore, of which the Americans are aware, and take advantage thereof when no British vessels are near them; that the mackerel are drawn towards the vessel by throwing overboard bait, consisting of fish and fish offals, ground in a mill fitted for the purpose, and they are then taken partly by the hook and partly with gaffs.

That American vessels for the Mackerel fishery are fitted out in what is called a half lay, that is, the men have half the fish caught, and that the natives of this Province are induced to sail in American vessels because the value of the fish is so much greater in the American markets than in Nova Scotia—that their profits are thereby greatly increased.

CHARLES STEWART.

*Liverpool, 11th March, 1837.*

*This statement may be relied on as strictly correct, although not sworn to.* J. B.

I, Jacob Titus, do certify, that the American fishermen have trespassed on our fishing ground, within one and a half miles from the shore, and have carried off loads of fish; and further, that they have cast their offals overboard within a half mile of the shore, which is very injurious to our fishing; also, that they set their nets on our shores, entering our harbours this last year and obtaining great quantities of mackerel.

JACOB TITUS.

*Digby Neck, March 20, 1837.*

Sworn before me, E. MORTON, Justice Peace.

No. 9.

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**REPORT**

FROM THE

**HONORABLE WILLIAM CRANE,**

ONE OF THE DELEGATES TO ENGLAND:

*Submitted to the House of Assembly, January 17, 1838.*

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**A**S one of the Deputation appointed by the House on the 8th February last to proceed to England, and negotiate with the Government on various subjects referred to in the proceedings of that day, having with my honorable colleague attended to the chief of the important duties that devolved upon the Deputation, it was agreed that I should remain in England after the departure of Mr. Wilmot, as has been already stated, for the purpose of conducting such further negotiations with His Majesty's Government as might be required. And I beg leave to state briefly, what occurred subsequent to the return of that gentleman to this country.

The report which was presented during the last Session of the Assembly, which will probably come under review during the present sitting, when I shall be prepared to express myself fully with reference to each; and as the conversations that I subsequently held with the Colonial Minister principally related to matters of detail, my report will consequently be composed chiefly of copies of Despatches from the Government, or of letters which I addressed, with their answers, and a concise statement of what took place on the different occasions when I was favored with a personal interview with the Colonial Secretary, or attended at public offices for the purpose of carrying out the views of the Assembly.

On the 8th of April Mr. Wilmot left London, on his return to New Brunswick; and on the 10th of that month I went to the Colonial Office, for the purpose of having an interview with Lord Glenelg; where I understood His Lordship was unwell, and was not expected at his office.

On the 15th April I again called at the Colonial Office, when I had some conversation with Lord Glenelg on the subject of the Custom House and the bill for the naturalization of Aliens. The former was one of the most important questions which remained unsettled, and the Despatch that had subsequently been sent out not having been called for by the House, it had not been communicated by the Executive; but a copy of it will be found in this report. With respect to the naturalization of Aliens, I found that the bill had been approved, and returned to this country.

On the 20th April I again waited upon Lord Glenelg, and furnished him with a copy of the report of the Select Committee of Assembly, made during the last Session of the Legislature, of the Casual Revenue accounts; and offered reasons why the Assembly should be put in possession of satisfactory information upon the subject. Lord Glenelg said a Despatch should be forwarded, directing the required vouchers to be furnished; and intimated, with his usual attention and courtesy, that I might procure it, if I would call at the office previous to the closing of the mail.

On the 4th May I accordingly went there. The Despatch however was not ready; but I was informed by Mr. Murdock, the chief clerk, that I could see it in half an hour. I returned, but time not permitting me to read it previous to the closing of the mail, I was promised the perusal of it at a future period.

On

## APPENDIX.

On the 6th May I again went to the office; and on being shewn a copy of the Despatch discovered that misconception had been created in the mind of Lord Glenelg by a letter from Mr. Baillie, which it became necessary to remove, and which required further explanation on my part.

On the 8th I went to the office again, but found Lord Glenelg too much engaged to see me. I repeated the call on the following day, when I understood his Lordship was at the Cabinet Council.

On the 10th I saw Lord Glenelg, and offered reasons why more decided instructions should be given relative to the vouchers, and felt it right to express my conviction that nothing short of a positive order would compel the production of those documents. His Lordship assured me that should be attended to, and requested to see me upon the subject on the following day. I therefore waited upon him on the 11th, when I was shewn a copy of the Despatch that had been prepared, which appeared to me to be sufficiently explicit.

On the 15th May I called at the office of the Colonial Secretary to obtain information with reference to the Casual Revenue accounts which had been sent to England; and was informed by Lord Glenelg, that he wished to apply to the Lords of the Treasury upon the subject. I then alluded to the Custom House question; when his Lordship stated that it would be advisable that I should see the Honorable Mr. Rice, and said he would make the necessary inquiries, and inform me when I could have an interview with that gentleman.

On the 20th I again saw Lord Glenelg; when he informed me that I could see the Casual Revenue accounts at the Treasury office, and that Mr. Rice would meet me on the following day at one o'clock, when I went to Downing Street. After some conversation with Mr. Rice upon the subject of the Custom House establishment, he said he would see me again.

On the 5th July I called at the Colonial Office, and on the 12th went to the office of the Lords of the Treasury; when I was informed that the Casual Revenue accounts of New Brunswick were kept at the Audit office, where I could examine them. On the following day I went there, and having been shewn the accounts, proceeded to make such extracts as I deemed necessary, but did not request copies, as they might be obtained in this Province, if required. The result of my inquiries and examination however was, that the accounts from September, 1834, seemed to be regular and correct; but before that time no accounts from the Receiver General appeared to have been forwarded, as had been stated in a message from Sir Archibald Campbell to the Assembly; at least I could find no trace of them.

On the 2d August I made inquiry at the Colonial Office relative to the Acts of the last Session of the Assembly, which had been passed with a suspending clause, and on the 15th received the following letter:—

*Downing Street, 15th August, 1837.*

SIR—With reference to the inquiry which at a recent interview you addressed Lord Glenelg, I am directed by His Lordship to inform you that he will be prepared, whenever a Council shall be held, to recommend to Her Majesty the confirmation of the Act passed by the Legislature of New Brunswick, during their last Session, for erecting part of the County of Gloucester into a separate and distinct County.

I have the honor to be, Sir,

Your most obedient servant,

JAMES STEPHEN.

W. Crane, Esquire, &c. &c. &c.

On the 22d September I addressed the following letter to Lord Glenelg:—

*12, Devonshire Street, Portland Place, 22d September, 1837.*

MY LORD—In the month of July, 1836, Mr. Wilmot and myself, as Deputies from the House of Assembly in the Province of New Brunswick, addressed a letter to your Lordship, with a view to bring before the Government the subject of a proposed alteration in the Custom House establishment in that Province; and I now beg leave to request that your Lordship will be pleased to direct that I may be furnished with a copy of the reply that has been made to our application.

I have the honor to be

Your Lordship's most obedient servant,

(Signed)

WILLIAM CRANE.

To the Right Honorable Lord Glenelg, Colonial Office.

Y

On

## APPENDIX.

On the 23d I called at the Colonial Office, when Lord Glenelg said he would see me on Wednesday the 27th; when I again waited upon his Lordship, who appointed the next day for an interview. On the 28th I went to the office pursuant to appointment, but found Lord Glenelg occupied with Mr. Stephen and Sir George Grey. Lord Aylmer was also in waiting; and a farther appointment was made for Saturday. I received the following reply to my letter of the 22d September, with the Despatch to which it referred, and which are subjoined:—

*Downing Street, 27th September, 1837.*

SIR—I am directed by Lord Glenelg to acknowledge your letter of the 22d instant, and, in answer, to transmit to you for your information the copy of a Despatch which His Lordship addressed to Sir Archibald Campbell, in consequence of the representation made to this Department by yourself and Mr. Wilmot in July 1836, relative to the Customs Establishment of New Brunswick.

I have the honor to be, Sir,  
Your most obedient servant,

JAS. STEPHEN.

W. Crane, Esquire, &c. &c. &c.

*Downing Street, 2d February, 1837.*

SIR—With reference to my Despatch of the 30th September last, No. 91, I have the honor to inclose herewith, for your information, the copy of a letter dated 19th July last, and addressed to me by Messrs. Crane and Wilmot. The delay which has occurred in communicating to you this letter has arisen from my being in correspondence on the subject of it with the Lords Commissioners of the Treasury.

The first question adverted to by Messrs. Crane and Wilmot is the collisions which have taken place in reference to seizures between the Officers of Her Majesty's Customs in New Brunswick and Officers appointed under Acts of the local Legislature. On this point the Lords Commissioners of the Treasury observe, that as the proposition which has been made to the Legislature of New Brunswick respecting the Casual and Territorial Revenue, may probably involve the disposition of those portions of seizures which accrue to the Crown or are assigned to the Lieutenant Governor, it will be desirable to defer the consideration of any new arrangement respecting these seizures until the result of the proceedings of the local Legislature shall be known.

With respect to the second question raised by Messrs. Crane and Wilmot, viz. the unnecessary multiplications, under the present system, of Officers for the collection of the duties imposed under the Imperial or Provincial statutes, the Lords Commissioners of the Treasury observe, that as the administration of the laws regulating the trade of the British Possessions is confided by law to the officers of the Customs Department, independently of such duties as they may have to perform in the collection of the revenue; and as it has been found most expedient, with a view of ensuring an efficient execution of those laws, that the Customs Establishment throughout the British Colonies should be placed under the immediate control and superintendence of the Board of Customs in London, their Lordships are not prepared to assent to any arrangement which might place the management of the duties collected under the provisions of Acts of the British Legislature in other hands. But their Lordships remark, that duties imposed by Acts of the local Legislature of Lower Canada and Newfoundland are at present collected and paid over to the Colonial Treasuries by the Officers of the Customs Department, without the intervention of any Colonial functionary, and they would not object to the adoption of some similar arrangement in regard to duties receivable under local Acts in New Brunswick, provided the Provincial Legislature would be willing to defray the expense of any additional assistance the Customs Department might require for this purpose, and of such remuneration to the existing Officers of it as might be considered reasonable, with inference to the additional labour and responsibility which would devolve upon them.

I have, &c.

(Signed)

GLENELG.

Sir A. Campbell, &c. &c. &c.

On the 16th October I received the following communication, notifying me of the Royal assent having been given to the Act dividing the County of Gloucester:—

*Downing*

## APPENDIX.

*Downing Street, 16th October, 1837.*

SIR—I am directed by Lord Glenelg to inform you, that the Act lately passed by the Legislature of New Brunswick for dividing the present County of Gloucester, will be specially confirmed as soon as the necessary forms of office can be completed.

I have the honor to be, Sir,  
Your most obedient servant,

JAS. STEPHEN.

W. Crane, Esquire, &c. &c. &c.

On the 25th October was transmitted the following reply to an application which I had previously made, to be furnished with the Journals of the House of Commons in exchange for those of the Assembly of this Province, and also for copies of the Statutes at large.

*Downing Street, 25th October, 1837.*

SIR—I am directed by Lord Glenelg to acknowledge your letter of the 17th instant, and to acquaint you in answer, that the Lords of the Treasury have been requested to give the necessary directions for your being furnished with copies of the Journals of the House of Commons, for which you have applied. I am at the same time to inform you, that copies of Acts of Parliament can only be obtained by purchase from the Queen's Printers.

I have the honor to be, Sir,  
Your most obedient humble servant,

GEO. GREY.

W. Crane, Esquire, &c. &c. &c.

I subsequently made the following application, conveying a desire to obtain for the Assembly portraits of His late Majesty, and of our present most gracious Sovereign. The application of the former House had been previously communicated to Lord Glenelg, who had kindly consented to sit for his portrait. Owing to his numerous engagements, however, it will probably not arrive in this Province till the middle of the coming summer.

*12, Devonshire Street, Portland Place, 26th October, 1837.*

MY LORD—The loyal inhabitants of the Colony of New Brunswick, in British North America, have at all times experienced a high degree of satisfaction when an opportunity has been afforded them of beholding, even on canvass, the features of their Sovereign; and I have been directed to make application to Government for a portrait of his late Majesty King William the Fourth, in order that it may form an addition to those which now adorn the Legislative Hall of that Province. And I beg leave to solicit that we may also be furnished with a full length portrait of her present most gracious Majesty; feeling confident that it will be received with the most lively demonstrations of joy by Her Majesty's faithful and devoted subjects, the inhabitants of New Brunswick, and will form a valuable addition to the numerous and powerful ties which now connect us with the land of our ancestors.

I have the honor to be,  
Your Lordship's most obedient servant,

(Signed)

WILLIAM CRANE.

To the Right Honorable Lord Glenelg, Colonial Office.

It now only remains for me in conclusion, to refer to a few subjects which have not been already alluded to; but with reference to which the House might desire to be informed. In consequence of representations from the American Government, relative to the survey of a line for a Rail road, though what is termed the disputed territory, Lord Glenelg applied to me for information as to the proceedings of the Legislature of New Brunswick upon the subject, and I stated to His Lordship that the Act merely authorised the Saint Andrews Company to make a rail road across British territory.

Much misconception has hitherto prevailed with reference to the balance due from the New Brunswick Land Company. I believe about half the purchase money has been received, and that the Company are willing to pay over the balance as soon as the survey shall have been completed, which formed part of the original contract

The



## APPENDIX.

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The erection of Light Houses on Saint Paul's Island, will probably take place during the present year—a work that is loudly called for by the public voice and the dictates of humanity. The delay that has hitherto attended this undertaking having been caused by conflicting opinions, as to whether the establishment of one or two Lights would be most useful, an examination of the island has been directed, and Government are prepared to proceed in accordance with the recommendation of the Commissioners.

In concluding this report I must be permitted to remark, that during my intercourse with different members of the Government in England, I experienced the most ready attention, and any claims which I deemed it proper to advance on behalf of the Province, were either promptly complied with, or satisfactory reasons afforded for their rejection.

Since the successful result of the Deputation of last year has been made known, the House have passed resolutions expressive of the grateful feeling of the people of this Province, for the valuable boon that has been conferred. And it only remains for me to congratulate them upon the successful issue of the struggle in which we have been engaged, and to express an earnest hope that the funds thus placed at their disposal may prove a lasting benefit to the Province, and be the means of developing those resources which it contains; and which only require to be called into active operation to render it one of the most important and valuable portions of the British empire.

Respectfully submitted.

WILLIAM CRANE.

*Committee Room, January 17, 1838.*

**No. 10.**

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**DOCUMENTS**

RELATIVE TO

**KING'S COLLEGE.**

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No. 1.

ACCOUNT OF EXPENDITURE OF THE COLLEGE DURING THE YEAR 1837.

Dr. Jacob's year's salary,	£500	0	0
Dr. Somerville's do. do.	150	0	0
Half a year's salary awarded by the Council to the acting Professor for half a year, during the vacancy of the Professorship for- merly held by Dr. M'Cauley,	150	0	0
One quarter of a year's salary to Mr. Gray, the new Professor in Mathematics and Natural Philosophy,	75	0	0
One quarter of a year's salary to Dr. Robb, the Lecturer in Natural History and Chemistry,	75	0	0
Registrar's yearly salary,	100	0	0
Head Master of Grammar School year's salary,	200	0	0
Assistant Master of do. do. year's salary,	150	0	0
French Master, do. do.	60	0	0
Steward's year's salary,	60	0	0
Fuel,	40	0	0
Steward, special grant towards making up loss he had sustained in the expenses of the establishment,	60	0	0
Beadle, salary for a year,	40	0	0
Gate Keeper, year's salary,	10	0	4
Forrester, year's salary,	5	0	0
Steward's allowance for commons, for one Professor for the year,	24	5	6
One Scholarship to W. H. Shore, for a year,	25	0	0
Pew Rents for a year,	5	2	6
Donation to Powell, the late Beadle, towards expenses of his fu- neral, in consideration of the distressed state of his family,	8	0	0
To paid for Bill of Exchange for £150 sterling, to reimburse Dr. Robb for costs and expenses of Philosophical Instruments brought out with him for the College,	191	13	4
Livery for Beadle,	1	19	6
Sundry repairs done and made in College and College Schools, in the course of the year,	62	2	8
Paid Dr. Gesner, College subscription for ten copies of his work on Mineralogy,	4	7	6
Sundry incidental expenses for postages, recording Securities, &c. &c.	1	19	0
Total expenses for year,	(Carried forward,)	£1,999	10 0

# APPENDIX.

<i>Brought forward,</i>		£1,999 10 0
OLD DEBTS PAID IN THE COURSE OF THE YEAR.		
Balance of a debt of Dr. Somerville, principal and interest, to the time of tender of payment, when interest ceased,	£626 15 11	
For Bill of Exchange for £75, to remit to Rivington, on account, for books formerly imported for the College,	95 16 3	
To paid John Robertson, Esquire, Saint John, an account of his for expenses on Philosophical Instruments, imported for last year for the College,	1 6 9	
		723 18 11
		<u>£2,723 8 11</u>
Jan. 1, 1838. To balance against the College carried down,		£100 0 2½

## AN INCOME OF THE COLLEGE FOR THE YEAR 1837.

By balance of last year's account,	£259 8 6
Grant from Crown, for 1837,	1,111 2 2
Provincial Grant for the same year, and interest on warrant,	1,104 14 0
Rents received this year,	73 11 0
Interest received this year on monies laid out on landed security, being monies arising from the redemption of rents on land formerly belonging to the College, and required by Act of Assembly under which the rents were redeemed, to be laid out at extending landed securities,	66 0 0
Amount received for stumpage for Timber cut last year on College lands,	2 10 0
Amount received from Students for damages done in their rooms and public departments in the College,	6 3 0½
Balance against the College, as brought down,	100 0 2½
	<u>£2,723 8 11</u>

GEO. FRED. STREET, *Registrar*

*January 18th, 1838.*

## No. 2.

### LIST OF DEBTS REMAINING DUE FROM THE COLLEGE.

To Messrs. Rivingtons, of London, for books, £60 2s. 6d. sterling, equal in currency to about	£76 16 0
To amount due for books, purchased by Mr. Gray for the College before he came out, the invoice of which not yet arrived, but the amount supposed to be about £200 sterling, equal in currency, with expense, to about	265 0 0
To sundry accounts against the College, not yet got in, and for balances due for instruments purchased, and fitting up Lecture and Collection rooms at the College, and alterations and repairs in the school house; but which in the whole it is expected will not exceed the sum of	100 0 0
Due from the College,	<u>£441 16 0</u>

GEO. FRED. STREET, *Registrar.*

*18th January, 1838.*

No.

## APPENDIX.

### No. 3.

#### LIST OF DEBTS DUE TO THE COLLEGE.

Arrears of Rents due on the 24th March, 1837, and which there is every reason to suppose will be realized, and may be considered as good,	£220 0 0
Debts secured by bond or note,	51 1 5
Arrears of interest due on the 24th of March last on monies vested in landed security, being monies that arose from redemption of rents, and will be paid it is expected shortly, good,	70 19 0
Arrears of rent on leases for years which are considered as bad, and not likely to be recovered, from the poverty of the tenants and they having left the land,	111 0 0
	£453 0 5

GEO. FRED. STREET, Registrar.

18th January, 1838.

### No. 4.

#### STATEMENT OF THE LANDS BELONGING TO THE COLLEGE.

The Lands belonging to the College remain in the same state precisely, as is mentioned and set forth in the statement rendered to the House last year by the Registrar's account, No. 3; and set out in the Appendix, No. 6, to the Journal of the Session of 1836-7, except that the following wood lots lying in the rear of the town were sold at Auction on the 30th December last, under the powers given to the College for that purpose by the late Act of Assembly, viz:—

Lot No. 34, in 4th Range, for	£42 10 0
Lot No. 35, in same Range,	43 0 0
Lot No. 41, in 5th Range,	41 0 0
Lot No. 43, in same Range,	41 10 0
Lot No. 47, in 6th Range,	44 0 0
Lot No. 2, in 7th Range,	25 15 0
Lot No. 4, in same Range,	29 2 6
Lot No. 58, in same Range,	41 0 0
	£307 17 6

The purchase money payable by four equal instalments, at three, six, twelve and fifteen months, with interest.

The following Town Lots in Block No. 7, in the Town plat of Fredericton, were also on the same 30th day of December, leased at Public Auction for 21 years, at the several ground rents hereinafter stated, on terms of removal, according to the powers vested in the College by the same Act, viz:—

Lot No. 99, for yearly rent of	£15 5 0
No. 100, do. do.	17 10 0
No. 101, do. do.	12 17 6
No. 102, do. do.	10 15 0
No. 103, do. do.	13 5 0
No. 104, do. do.	10 2 6
No. 105, do. do.	15 0 0
No. 107, do. do.	13 10 0
No. 108, do. do.	10 5 0
No. 109, do. do.	12 15 0
No. 111, do. do.	14 2 6
No. 112, do. do.	10 5 0
No. 113, do. do.	15 10 0
No. 114, do. do.	10 5 0
No. 115, do. do.	13 5 0
No. 116, do. do.	13 15 0
	£208 7 0

The foregoing Rents are to be payable half yearly from the 24th of March next.

NOTE.

## APPENDIX.

NOTE.—The Committee of the House to whom the last year's accounts were referred, in their report express surprise that so much valuable Real Estate had been allowed to remain unproductive, while debts to a considerable amount had been long due from the College, on interest; but in making this remark, that Committee appear not to have adverted to the fact, that until the late Act was passed, the College could not sell or give leases for any of their lands upon such terms as would induce parties to make improvements to any extent, which was the reason the land remained so long in a great measure unproductive. This state of the case, together with statements of the large debts due from the College at interest, and were several times laid before the House, with applications from the College Council for an Act to enable them to grant terms which would render the lands productive, which was all they could do, but their applications were always unsuccessful until the late Act passed.

GEO. FRED. STREET, *Registrar*.

18th January, 1838.

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### No. 5.

NUMBER AND NAMES OF THE PROFESSORS AND LECTURERS IN KING'S COLLEGE, AT FREDERICTON, AND THEIR PROFESSORSHIPS, ON THE 1st OF JANUARY, 1838.

No. 1. The Reverend Doctor Edwin Jacob, resident Vice President, Professor of Classical Literature, History and Moral Philosophy, and Tutor.

No. 2. The Reverend Doctor James Somerville, non-resident Professor of Divinity and Metaphysics.

No. 3. David Gray, Esquire, M. A., resident Professor of Mathematics and Natural Philosophy, and Tutor.

No. 4. Doctor James Robb, resident Lecturer in Chemistry and Natural History.

The two last named Gentlemen only arrived in time for the last Michaelmas Term.

Monsieur L. C. Thomassin, Teacher of the French Language.

GEO. FRED. STREET, *Registrar*.

January 18, 1838.

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### No. 6.

NUMBER AND NAMES OF STUDENTS IN KING'S COLLEGE, KEEPING TERMS IN THE WHOLE OR A PART OF THE YEAR 1837.

No. 1. William Scovil, resident while keeping Terms.

2. Edward B. Peters, non-resident.

3. G. R. Jarvis, resident while keeping Terms.

4. George M. Odell, non-resident.

5. Edward W. Wilmot, resident part of the time.

6. William H. Shore, resident.

7. Colin Irvine Allan, non-resident.

8. George Saunders Flood, non-resident.

9. Thomas W. Bliss, non-resident.

10. Martin Hunter Peters, non-resident.

11. William More Maclauchlan, non-resident.

12. William H. Bernerd Usher, resident.

13. Henry Berton, non-resident.

14. George M. Robinson, non-resident.

15. J. H. Thorne, resident, (since left.)

16. Thomas F. S. Street, non-resident.

17. Thomas S. Peters, resident.

18. Edward Warrick Harvey, non-resident.

19. Gabriel DeVeber, resident.

20. Nelson DeVeber, matriculated, but not yet kept any Terms.

21. William Botsford Chandler, matriculated, but not yet kept any Terms.

GEO. FRED. STREET, *Registrar*.

18th January, 1838.

No.

## APPENDIX.

### No. 7.

#### ACCOUNT OF FEES AND TUITION MONEY RECEIVED OR DUE TO THE PROFESSORS AND OTHER OFFICERS OF KING'S COLLEGE, FOR THE YEAR 1837.

Tuition fees, payable to Dr. Jacob, the only Tutor in the College for that year, ending Trinity, 1837, for 15 Students,	£75	0	0
Professor's fees, payable to ditto, for 15 Students, for the same period,	15	0	0
Vice President's fees for two degrees,	4	13	4
Dr. Somerville's Professor's fees due for same period,	15	0	0
To ditto, on two degrees,	2	6	8
To payable to the Archdeacon, acting Professor for half a year,	7	10	0
To Registrar's fees, payable on two degrees,	1	0	0
The Beadle's do. on do.	0	10	0
	£121	0	0

GEO. FRED. STREET, *Registrar.*

*January 18, 1838.*

### No. 8.

#### THE STATUTES, RULES AND ORDINANCES OF THE UNIVERSITY OF KING'S COLLEGE.

*At a meeting of the College Council, held the 19th day of March, 1831, at the College—*

##### PRESENT.

His Honor WILLIAM BLACK, Esquire, D. C. L., Chancellor.  
The Venerable Archdeacon COSTER, President.  
The Reverend EDWIN JACOB, D. D., Vice President.  
The Reverend JAMES SOMERVILLE, L. L. D., } Professors.  
The Reverend GEORGE M'CAULEY, A. M., }  
The Honorable JOHN SAUNDERS, D. C. L.  
The Honorable WILLIAM BOTSFORD.  
WILLIAM FRANKLIN ODELL, Esquire.

GEORGE FREDERICK STREET, Esquire, Registrar.

*The following code of Statutes was read and approved.*

Whereas in pursuance of the powers and provisions of an Act of the General Assembly of the Province of New Brunswick, passed in the fourth year of the reign of His late Majesty King George the Fourth, intituled "An Act to enable the Governor and Trustees of the College of New Brunswick to make a conditional surrender of their Charter, and for the further endowment of the College upon the granting of a new Charter," the said Governor and Trustees did surrender their Charter into His said late Majesty's hands:

And whereas His said late Majesty was graciously pleased to accept the said surrender, and to grant a Royal Charter under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the fifteenth day of December, in the eighth year of His said late Majesty's reign, for the establishment of a College in or near the Town of Fredericton, with the style and privileges of an University, to be called KING'S COLLEGE; and did grant to the College Council, in the same Charter, power and authority to frame and make Statutes, Rules and Ordinances touching and concerning the good government of the said College, and all matters regarding the same; and also from time to time by any new Statutes, Rules or Ordinances, to revoke, renew, augment or alter all, every, or any of the said Statutes, Rules and Ordinances, as to them shall seem meet and expedient:

And whereas certain Statutes, Rules and Ordinances were enacted and declared on the seventeenth day of April, one thousand eight hundred and thirty, and the Chancellor, pursuant to the provisions of the Charter, has proposed a revision of the said Statutes, and sundry alterations to be made therein—

Be it therefore enacted and declared, That the Statutes, Rules and Ordinances so enacted and declared as aforesaid, on the seventeenth day of April, one thousand eight hundred

## APPENDIX.

hundred and thirty, be and the same are hereby revoked; and that the following shall be the Statutes, Rules and Ordinances for the government of the said College, until the same or any part thereof be disapproved, altered or revoked in the manner expressed in the said Royal Charter; that is to say:—

### **BOOK I.—OF PERSONS.**

#### *Tit. I.—Of the Corporation.*

The Charter incorporates the College, and endows it with the rights and privileges of an University, by the name and style of "The Chancellor, President and Scholars of King's College." The King, as Founder and Patron, appoints the Visitor, Chancellor and President, and creates the Council and Convocation. His Majesty reserves to himself the power of reviewing, confirming or revising, by any Order in Council, the decisions, sentences, or orders of the Visitor in reference to the Statutes, Rules and Ordinances.

#### *Tit. II.—Of the Visitor.*

I. The Bishop of the Diocese, for and on behalf of the King's most Excellent Majesty, is the Visitor.

II. All Statutes, Rules and Ordinances are required to be immediately transmitted by the Council to the Visitor.

III. The Statutes, Rules and Ordinances made by the Council, if disapproved by the Visitor within two years from their enactment, become void and of no effect from the time when the Visitor's disapprobation shall be signified to the Chancellor.

IV. The Visitor is hereby authorised and empowered to summon before him, within the College, the President, Vice President, Professors, Scholars, and all other Members and persons belonging to the College or University, to examine them on oath or otherwise, touching the conduct of any of the officers or members, or other persons aforesaid; except that no person shall be compelled to criminate himself; to punish offences according to the Statutes; and to require a strict observance of the same.

#### *Tit. III.—Of the Chancellor.*

I. The Governor, Lieutenant Governor, or person administering the Government of the Province for the time being, is the Chancellor.

II. It is the office of the Chancellor to propose every Statute, Rule and Ordinance for the consideration of the Council, having previously consulted with the President and next senior member of the Council; and he shall propose, after such consultation, any Statute, Rule or Ordinance which may be placed in his hands, with a request to that effect, in writing, under the hands of any three members of the Council.

III. The Chancellor presides at all meetings of the Council or Convocation which he may think fit to attend, and appoints all meetings of the Council, (the annual meeting excepted, as hereafter to be provided) under the rules and regulations to be hereafter made.

IV. It is the office of the Chancellor, in the name and on the behalf of His Majesty, to appoint all Professors, and he is hereby authorised and empowered, with the advice and consent of the Council, to nominate and appoint one of the Professors, being of the Council, to be Vice President, when occasion shall require; the nomination to be subject to the approbation of the Visitor; to be expressed within three months after it shall be made known to him.

#### *Tit. IV.—Of the Council.*

I. The formation of the Council is regulated by the Charter.

II. It is the office of the Council to consider all Statutes, Rules and Ordinances proposed by the Chancellor; and it is thereupon empowered to frame and make all Statutes, Rules and Ordinances so proposed, for and concerning the College and University; and also by any new Statutes, Rules and Ordinances so proposed, to revoke, renew, augment, or alter the same; subject to the provisions and restrictions contained in the Charter.

III. The Council shall have the sole trust, management and disposal of the Funds of the College; of the Lands, Buildings, and all other property, whether fixed or moveable. It shall from time to time regulate the terms and conditions of leasing the Lands, collecting the Rents, investing the funds, and the like; and shall have the sole power of affixing the College Seal to any paper or instrument by which any property shall be transferred or acquired.

IV.

## APPENDIX.

IV. It is the office of the Council to declare what Professorships are necessary or expedient, and thereupon establish the same; and all the Officers and Servants of the College or University, unless where it is otherwise provided by the Charter of the Statutes, shall be appointed by the Council.

V. The Council shall have the sole power of appointing the salaries, fees and emoluments of all the Officers and Servants of the College or University, and of determining the payments to be made by the Scholars and all other Members.

VI. The Council shall have a general superintendence over all the affairs of the College and University, and over the conduct of all the Officers and Members thereof.

VII. The Council shall have power and authority, both original and upon appeal, to suspend, remove, or expel the Scholars, and all Officers and Members of the College and University inferior to the Professors, in the cases prescribed by the Statutes.

VIII. The Council shall be authorised and empowered, at their annual or other meetings, to summon before them the President or Vice President, Professors, Scholars, and all other Members of the College or University, and all persons belonging to the same, and to examine them upon oath or otherwise; except that no person shall be compelled to criminate himself.

IX. An annual meeting of the Council shall be held on the Tuesday before the last Thursday in the month of June, to be continued by adjournment for so many days as the business to be done may require.

X. All other meetings of the Council shall be convened by the Chancellor whenever he may think proper, on three days notice in writing being given to each member by the Registrar; and shall be held within the College, except some other place in Fredericton shall be specially appointed by the Chancellor at the time of convening the meeting.

XI. The Chancellor shall convene a meeting of the Council within ten days, after a request shall have been delivered to him in writing, under the hands of any three members of the Council.

### *Tit. V.—The Convocation.*

I. The Convocation consists, according to the Charter, of the Chancellor, President, Masters of Arts, and Superior Graduates.

II. The Convocation shall assemble in the College, in their proper habits; and not fewer than ten members shall form a Convocation, provided there shall be so many resident within five miles of the College.

III. The Convocation shall assemble immediately after Divine Service on the first day of every term, and on the days to which it shall be successively adjourned during the term. It may also be convoked by the Chancellor, President, or Vice President at any time during Term, by public notice fixed in the hall, and by summons sent to all the members within five miles of the College, at least two days before the time of meeting.

IV. All questions in the Convocation shall be decided by the majority of votes of the members present; the presiding Officer to have a casting vote in case of an equality of votes.

V. It is the office of the Convocation to confer Degrees according to the Statutes; to admit and incorporate members of other Universities; to grant Letters testimonial; to grant Dispensations in cases not provided for by the Statutes and not contrary to them, and to deprive of Degrees in cases defined by the Statutes.

### *Tit. VI.—Of the President.*

I. The Archdeacon of the Province is the President of the College.

II. It is the Office of the President to preside at all meetings of the Council, in the absence of the Chancellor.

III. The President shall also preside in the absence of the Chancellor, at all meetings of the Convocation, and of the Officers of the College.

IV. The President is hereby authorised and empowered to appoint the Chaplain.

V. It shall be the office of the President or Vice President to examine Students previously to their matriculation; to maintain the observance of the Statutes, as well by the Professors, Tutors, and inferior Officers of the College, as by the Scholars and all other members; to enforce discipline by admonitions and punishments; (provided that



## APPENDIX.

that in all cases of punishments by fine or imposition, no fine by him so inflicted shall exceed twenty shillings, and no one imposition require more than three days confinement); and in graver cases convening the Professors and Tutors for consultation, or giving information to the Council; to be the Parent and Guardian of the Students, directing their studies, and promoting by all means in his power their progress in Religion and Learning; to order and preside over the Collegiate exercises; to direct the economy of the House; to regulate the inferior Officers and Servants; and to inspect all the affairs of the College.

VI. The President or Vice President shall and may, on consultation with the Professors and Tutors, suspend from any office or situation in the College, or rusticate any member of the University, not being a Professor, for any grave offence against the Statutes or Regulations founded on them, for a period not to exceed two terms; subject nevertheless to an appeal to the Council, to be made in manner as hereinafter is provided.

VII. The President or Vice President shall reside within the College, or in a house adjoining thereto, and shall preside at all meetings of the Convocation and College, in the absence of the Chancellor.

VIII. The President or Vice President shall receive a salary and fees, to be appointed by the Council, in addition to his salary and emoluments as Professor.

IX. On a vacancy in the office of President, and acting Head of the College, the Senior Professor then in College, being a member of the Council, shall discharge its duties, and receive a proportionate salary, until a new appointment.

### *Tit. VII.—Of the Vice President.*

I. Whenever it shall so happen that the President appointed by the Charter shall have charge of any Parish, and shall be in the performance of the Parochial duties thereof, or shall decline to reside within the College, or in any house adjoining thereto, and undertake the duties allotted by Title 6, Sec. 5, then and in such case a Vice President shall be appointed, in conformity with the provisions contained in Title 3, Sec. 4; provided that the present Vice President, having been appointed in a case of special necessity, shall hold his office during good behaviour.

II. The Vice President, whenever so appointed as aforesaid, shall discharge all the duties, and exercise all the powers which are allotted by the Statutes to the "President or Vice President;" leaving to the President those functions which are assigned to him in the Charter or allotted by the Statutes to the President only.

### *Tit. VIII.—Of the Professors.*

I. The following Professorships shall be established in the College

1. Of Divinity and Metaphysics;
2. Classical Literature;
3. Oriental Literature;
4. Mathematics and Natural Philosophy;
5. Moral Philosophy;
6. History and the Law of Nature and Nations:—
7. Logic and Rhetoric;
8. Modern Literature;
9. Anatomy, Chemistry and Medicine.

II. The appointment of Professors is settled by the Charter; but the Council shall appoint the Salaries and Fees of the Professors, and decide any question which may arise respecting their residence, and the union of two or more Professorships in one person.

III. Every Professor shall deliver one Lecture at least in every week of Term, and more if required by the Council; and a schedule shall be fixed up in the hall on the first day of every term, specifying the days and hours of the several Lectures; which Schedule shall be prepared by the President and Vice President (if there be one) on consultation with the other Professors.

IV. On the vacancy of a Professorship, by death or otherwise, the President or Vice President shall immediately signify the same to the Chancellor, and appoint some person duly qualified to read the usual Lectures until a new Professor shall enter on the office; and the person so appointed shall receive a proportionate salary for the time.

## APPENDIX.

V. Every Professor before his admission into his office, shall take the oath of Allegiance and the oath of Office.

VI. No Professor shall teach in the College any principles contrary to the doctrine or discipline of the United Church of England and Ireland, or to good morals, or to the British Constitution.

VII. Every Professor shall have power and authority to punish his Pupils by fine or imposition; provided that no fine so inflicted shall exceed five shillings, and no one imposition require more than a day's confinement.

### *Tit. IX.—Of the Tutors.*

I. To every Student on his admission, and until he shall be of four years standing, a Tutor shall be assigned, selected from amongst the Professors, or Graduates, by, or with the assent of, the President, or Vice President.

II. It shall be the office of the Tutors to assist and direct the private studies of their Pupils, inspect their religious and moral conduct, control their expenses, and regulate those parts of their education and behaviour which are not within the province of the Professors, and are too minute for the attention of the President or Vice President.

III. The Tutors shall receive from their Pupils an annual sum, to be appointed by the Council.

IV. The Tutors shall have the same power as the Professors with respect to punishments.

### *Tit. X.—Of the Registrar.*

I. The office of Registrar of the University, Clerk of the Council and Treasurer, shall be executed by the same person, who shall be appointed by the Chancellor, by and with the advice of the Council, to continue during good behaviour.

II. The Registrar shall find competent sureties who shall enter into bonds to the Corporation of the College for the due and faithful discharge of his office.

III. The Registrar shall collect and receive the revenues and monies belonging to the University and College, from whatever source accruing; he shall keep Charters, Records, and all other muniments belonging to the College, and the matricula or register of the names of all members of the University or College: he shall act as Secretary to the Council and Convocation, and register their respective proceedings; and he shall apply the funds in his hands to the payment of salaries and other purposes according to the Statutes and the Orders of the Council.

IV. A notice in writing from the President or Vice President of any fines imposed on members of the College for offences contrary to the Statutes or Regulations grounded thereon, shall be sufficient authority to the Registrar to deduct the amount of such fines from the salaries of the persons on whom they are imposed, or to add it to their account with the College.

V. The Registrar shall inspect the lands, buildings, and other property of the Corporation, direct the execution of ordinary repairs and improvements, and report the necessity of any extraordinary expenditure to the Council.

VI. The Registrar shall submit a full and particular statement of accounts to the Council at the Annual Meeting, and at other times when they shall especially require it.

VII. The Registrar shall receive an annual salary to be appointed by the Council, and such fees as they shall think fit.

### *Tit. XI.—Of the Examiners.*

I. Two Graduates, not under the Degree of Master of Arts, shall be annually elected Examiners by the Council.

II. It shall be their office to examine all Candidates for the Degree of Bachelor of Arts, and to give a Testimonium to such as they shall judge fit; which shall also be a License for the study of Civil Law, to those who may not choose to proceed in Arts.

III. The Examiners shall take a solemn oath that they will faithfully discharge their duty.

### *Tit. XII.—Of the Chaplains.*

I. The President shall appoint the Chaplain, who shall hold the office during good behaviour.

II. During a vacancy in the office of Chaplain, those of the Professors and Tutors, who shall be in Holy Orders of the United Church of England and Ireland, and resident in the College, shall officiate in rotation.

## APPENDIX.

III. It shall be the duty of the Chaplain to read the Morning and Evening Prayers of the United Church, or such portions as may be selected by the President, (such selection to be subject to the approbation of the Council and Visitor) in the College Chapel, every day during Term, at such hours as the President or Vice President shall appoint; except on Sundays and other occasions when specific exceptions may be made by the Statutes or notified by the President or Vice President.

### *Tit. XIII.—Of the Librarian.*

I. The President or Vice President shall appoint the Chaplain or some Graduate, or senior Student, to be Librarian, during good behaviour, with such salary as the Council shall allot.

II. The Librarian shall observe, and take care that all others observe, the Rules and Regulations which may be adopted by the Council respecting the Library, and shall report every deviation to the President or Vice President.

### *Tit. XIV.—Of the Bible Clerk.*

I. The President or Vice President shall appoint one of the Students to be Bible Clerk during pleasure, with such salary as the Council shall allot.

II. The Bible Clerk shall observe, and take care that all others observe, the Rules and Regulations appointed by the President or Vice President, respecting attendance at Chapel, and report to the President or Vice President every deviation from the same.

### *Tit. XV.—Of Scholars and Fellows.*

I. It shall be competent to His Majesty's General or Local Government, or any Member thereof, or to the incorporated Society for the propagation of the Gospel in Foreign parts, or any Diocese or District Committee connected therewith, or to any Association desirous of promoting Religion or Learning, or to individuals, to found Scholarships or Fellowships; with such endowments, conditions and qualifications as shall not be at variance with the Charter or the Statutes, and as the Council shall approve.

### *Tit. XVI.—Of Commoners.*

I. All Undergraduate Students not receiving pecuniary emolument from the College, or Scholarships founded in it, shall be styled Commoners.

II. No person shall reside and board in the College who shall not have become members by regular matriculation or incorporation.

III. The several members of the College shall be entitled to choose vacant apartments according to seniority of standing; but members on the foundation shall take precedence of others in this respect; subject in all cases to the control of the President or Vice President.

## **BOOK II.—OF THINGS.**

### *Tit. I.—Of Property, Revenue and Expenditure.*

I. The sole management of the property, revenue and expenditure of the College is vested in the Council.

II. All salaries shall be paid quarterly, with a proportionate share of a current quarter's salary, up to the time of the death or removal of any officer of the College or University.

III. Caution money, fees, and all other monies whatsoever which may be due to or receivable by the College, shall be received by the Registrar, who shall pay such and so much to any officers or servants as they may be entitled to.

### *Tit. II.—Of the Buildings and Grounds.*

All improvements and repairs shall be charged upon the funds of the College, except the reparation of injuries committed by individuals, and such additions within the apartments of the President or Vice President, Professors and other members as are calculated in the judgment of the Council, rather for ornament than use.

### *Tit. III.—Of the Refectory.*

I. The Refectory is designed, as well for the common meals of the members of the College, as for the performance of Academical Exercises and other public business.

II. At Meals there shall be a High Table for the President or Vice President, Professors and Graduates of and above the degree of Master of Arts; a second Table for Bachelors of Arts and Licensed Students of four years standing; and a third Table for all Undergraduates.

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## APPENDIX.

### *Tit. IV.—Of the Chapel.*

Places shall be assigned in the Chapel, by the President for the several Officers, Graduates and Members of the College, according to their Office, Degree or Standing.

### *Tit. V.—Of the Library.*

I. No person shall have a key of the Library except the President or Vice President and Librarian.

II. There shall be cases with locks in the Library for valuable books, medals, and other things of importance.

III. The Library shall be open for all members of the University to read therein from ten o'clock in the morning till three in the afternoon, every day during Term, except Sundays and Holidays.

IV. A Catalogue of all the Books shall be duly kept by the Librarian, and no Books whatever shall be taken out of the Library, except by the Chancellor, President, Vice President or Professors, or on the delivery to the Librarian of a written Licence from one or other of those Officers.

V. The Council shall particularly inspect and examine the Library at their annual meetings.

### *Tit. VI.—Of the Apartments.*

I. The President or Vice President, Professors and Members on the Foundation, according to their seniority, shall be provided with suitable apartments in the College Buildings.

II. The remaining apartments, if any, shall be allotted to Commoners, according to seniority.

III. No Undergraduate of the College shall reside out of it without special permission from the Council, designating the house in which he may be permitted to lodge.

## **BOOK III.—OF DISCIPLINE.**

### *Tit. I.—Of Matriculation.*

I. A matricula or register shall be kept by the Registrar of the University, in which he shall enter the names of all persons admitted members, with their age, place of birth, and education.

II. No person shall be matriculated without previous examination by the President or Vice President, whose duty it shall be to ascertain if he be competently acquainted with the elements of the Latin and Greek Languages, and be capable of writing a theme on a given subject in Latin as well as in English.

III. If a person be matriculated in Vacation the following Term shall be reckoned as his first.

### *Tit. II.—Of Terms, Vacations and Holidays.*

I. The Academical year shall begin on the first Thursday in September, and shall contain four Terms, in which all Scholastic Exercises shall be performed:—

1. The first or Michaelmas Term shall begin on the first Thursday in September, and end on the third Wednesday in December;

2. The second or Lent Term shall begin on the second Thursday in January, and end on the Thursday preceding Easter Sunday;

3. The third or Easter Term shall begin on the Wednesday after Easter, and end on the Saturday preceding Whitsunday.

4. The fourth or Trinity Term shall begin on the Wednesday after Whitsunday, and end on the first Wednesday in July.

II. On the first and last days of every Term, after Divine Service in the College Chapel or the Parish Church of Fredericton, the President or Professor of Divinity shall preach a Sermon: The members of the University attending in their full academical habit.

III. The Holidays and other public Festivals and Fasts appointed by competent authority, shall be duly observed.

### *Tit. III.—Of Divine Service..*

I. On every Sunday in Term all the resident members of the University who shall not have obtained permission to the contrary, shall attend the Morning and Evening Service in the Parish Church of Fredericton. On every ordinary day in Term they shall attend the Morning and Evening Service in the College Chapel.

II.

## APPENDIX.

II. In the Chapel, daily Lessons from the Holy Scriptures shall be read by the Undergraduates; those proper for special occasions by such persons as the President or Vice President shall direct, and it shall be the duty of the officiating Chaplain to take care that they be read with distinctness, propriety and becoming solemnity.

III. The President or Vice President shall have authority to grant permission to any member to attend such place of public worship as his parents or guardians may desire, or at which (if he be twenty one years of age) his own religious principles shall bona fide require his attendance, and to revoke such permission whenever he has reason to think it may be abused.

### *Tit. IV.—Of Lectures.*

I. A schedule, specifying the Lectures, both of Professors and of Tutors, to be given during each Term, and the days and hours of such Lectures shall be affixed in the Hall on the first day of Term.

II. Every Undergraduate shall attend the appointed Lectures every day on which they shall be delivered, and shall not absent himself from any Lecture without special permission under the hand of the President or Vice President.

### *Tit. V.—Of Exercises.*

I. All Undergraduates shall compose a Latin and English theme, alternately, once a week during Term, either in prose or in verse, on subjects to be proposed on the preceding Saturday by the President or Vice President.

II. Two Declamations in Latin or English shall be composed every week by the resident Bachelors of Arts and Licentiates in Civil Law, in rotation, and publicly recited by them every Saturday during Term, on subjects to be proposed by the President or Vice President.

III. Occasionally in Term there shall be disputations, either Logical or Rhetorical, under the directions of the President or Vice President and Professors.

### *Tit. VI.—Of moral Conduct and Behaviour.*

I. Every exertion shall be made by all the Officers of the University and College to maintain good morals.

II. No Undergraduate shall resort to any inn, tavern, or place of public amusement, without special permission of the President or Vice President.

III. No member of the University shall promulgate any principles contrary to Christian morals or to the British Constitution.

IV. No Undergraduates shall remain out of College, nor any visitor in an Undergraduate's apartment after ten o'clock at night, without special permission of the President or Vice President.

V. No member of the College shall break, deface, or otherwise injure the buildings, walls, doors, windows, fences or other property belonging to the College.

VI. The President or Vice President, Professors and Tutors shall have power and authority to enter the apartments of all other members of the College at all hours.

VII. Juniors shall pay due respect to their Seniors, both in public and in private, by taking off their caps, giving place to them, and other usual modes of attention and civility.

VIII. Inferior Officers and members of the University are required to pay respectful deference to the admonitions of the President, Vice President, Professors, Tutors and Chaplain.

### *Tit. VII.—Of Board.*

I. Common repasts for the College shall be provided at such hours as shall be appointed by the President or Vice President.

II. The President, Vice President, or one of the Professors or Tutors, or the Chaplain of the College, shall always be present and preside at the common repasts.

III. No Undergraduate shall require any repast to be provided in his private apartment without special permission, under the hand of the President or Vice President.

IV. Any member of the College may introduce a friend to a common repast, paying such sum as the Council shall appoint.

### *Tit. VIII.—Of Habits.*

I. The dress of all the members of the University shall be plain, decent, and cleanly, without superfluous ornament.

II.

## APPENDIX.

II. The Academical Habits shall be the same as those which are worn in the University of Oxford, as they are appropriated to each Degree, Faculty, Rank, Station, Situation or standing respectively.

III. No member of the University shall appear at Church, Chapel, Lecture or Rectory, without his Academical Habit, or in the Town of Fredericton, unless by the permission of the President or Vice President.

### *Tit. IX.—Of Examinations.*

I. At the end of Michaelmas, Lent and Trinity Terms, all the Undergraduates shall be examined by the President or Vice President and Professors; and bracketed according to their respective pre-eminence; and rewards shall be conferred on those who may have passed the best examinations.

II. On the day above mentioned Bachelors of Arts and Licentiates, who may be found to have neglected their studies or to have committed any great irregularity, shall lose their Term at the discretion of the President, Vice President and Professors.

III. Candidates for the Degree of Bachelor of Arts or for a License in other Sciences, shall be solemnly examined by the Examiners. At least seven days notice of such examination shall be given in writing by the President or Vice President, and affixed in the hall. The examination shall be in the Greek and Latin Languages, Composition in Latin and English, and in the Sciences and Arts in which they shall have been instructed. The examination shall be open to all members of the University. If the Examiners be satisfied with the proficiency of the candidate, they shall give him a written Testimonium under their hands.

IV. At the annual meeting of the Council there shall be a solemn examination of the Bachelors of Arts and Licentiates, and rewards shall be bestowed upon the most deserving.

### *Tit. X.—Of Residence and keeping Terms.*

I. No Term shall be kept or reckoned towards a Degree, without Academical residence.

II. Academical residence shall consist in boarding in the College and lodging therein, unless a dispensation be granted to the contrary by the Council; in wearing the proper Habit, in attending Divine Service and Lectures, in performing Exercises, and in complying with all other Academical Regulations according to the Statutes.

III. The keeping of a Term may be disallowed by the President or Vice President to any Student for neglect of duty, for great irregularities, for not paying the College dues, or for contracting debts elsewhere.

IV. The Terms in which a Student shall have been matriculated, and shall take his Degree, shall be reckoned as kept without further residence.

### *Tit. XI.—Of College Dues and Fees.*

I. The Council shall, as often as they may see occasion, regulate the payments to be made to the University, College, and their several officers and servants, by Students and all other members.

II. A Table of these regulations shall be kept affixed to the great hall, under the hand of the Registrar.

III. No payment shall be claimed as due to the College or University, by any officer or servant on any account or pretence whatever, except such as shall be stated in the said Table.

## BOOK IV.—OF HONORS.

### *Tit. I.—Of Qualifications for Degrees.*

I. No Degree, other than Honary Degrees, shall be conferred upon any person whose name shall not be on the Matricula of the University; nor unless he be of the standing, shall have kept the Terms, performed the Exercises, and passed the examinations prescribed by the Statutes: nor unless he be a person of good morals.

II. No Degree in Divinity can be conferred, unless the candidate shall have previously subscribed the thirty nine Articles in presence of the President or Professor of Divinity.

### *Tit. II.—Of the Degree of Bachelor of Arts.*

I. No Student shall be admitted to the Degree of Bachelor of Arts, unless he shall have completed four years in the University, from the term or day of his matriculation.

## APPENDIX.

II. The Candidates shall have kept sixteen terms by Academical residence; but the Council may dispense with the residence, not the standing, of two of those Terms, besides the terms kept by matriculation and graduation.

III. He shall produce a certificate from the President or Vice President and Senior Professor, that he has kept the requisite Terms and performed the proper Exercises, and a Testimonium from the Examiners that he has passed the requisite Examination.

### *Tit. III.—Of the Degree of Master of Arts.*

I. No person shall be admitted to the Degree of Master of Arts, until he shall have completed three years from the time of his taking the Degree of Bachelor.

II. The Candidate shall have kept two complete Terms, and during those Terms shall have attended such Lectures and performed such exercises as shall have been appointed by the President or Vice President. But the Council may dispense with his residence during the other Terms.

III. He shall produce a certificate from the President or Vice President and Professor of Moral Philosophy, that he has kept the requisite terms and performed the appointed Exercises.

### *Tit. IV.—Of the Degree of Bachelor of Civil Law.*

I. No person shall be admitted to the Degree of Bachelor in Civil Law until he shall have completed seven years from his matriculation.

II. The Candidate shall have kept twenty eight Terms, including the Terms of his matriculation and graduation; the first sixteen Terms of which shall have been kept in all respects as they are appointed for Students in Arts; but the Council may dispense with his residence during the remaining Terms.

III. He shall have attended during his residence such Lectures as may be specially appointed for Students in Civil Law, and shall have publicly recited two Declamations on subjects in that science, chosen by himself and approved by the Professors of Law; such Declamations to be bona fide his own composition, and to occupy not less than a quarter of an hour in the delivery.

IV. He shall produce a testimonium from the Examiners, that he has passed the examination requisite for the Degree of Bachelor of Arts, and a certificate from the President or Vice President and Professor of Law, that he has kept the requisite Terms, attended the appointed Lectures, and performed the appointed Exercises.

### *Tit. V.—Of the Degree of Doctor in Civil Law.*

I. No person shall be admitted to the Degree of Doctor in Civil Law until he shall have completed four years from the time of his taking the Degree of Bachelor of Civil Law or Master of Arts; but candidates of eleven years standing from their matriculation may, by dispensation, be allowed to take it immediately after the Degree of Bachelor of Civil Law.

II. The candidate shall have publicly read two Lectures on subjects in the science proposed by himself and approved by the Professor of Law, each to occupy not less than half an hour.

III. He shall produce a certificate from the Professor of Law, that he has performed the appointed Exercises.

### *Tit. VI.—Of the Degree of Bachelor of Divinity.*

I. No person shall be admitted to the Degree of Bachelor of Divinity, unless he be Master of Arts of seven years standing.

II. The candidate shall have publicly read a Latin Lecture on some subject in Divinity, proposed by himself and approved by the Professor of Divinity, and shall have preached a Sermon before the University on some day appointed by the President.

III. He shall produce a certificate from the President and Professor of Divinity, that he has performed the appointed Exercises and subscribed the thirty nine Articles.

### *Tit. VII.—Of the Degree of Doctor of Divinity.*

I. No person can be admitted to the Degree of Doctor of Divinity, unless he be a Bachelor of Divinity of four years standing; but Masters of Arts who shall have completed eighteen years from their matriculation, may by dispensation be allowed to take the Degree of Doctor of Divinity immediately after that of Bachelor.

## APPENDIX.

II. The candidate shall have publicly read a Latin Lecture on some subject in Divinity, chosen by himself and approved by the President and Professor of Divinity, and shall have preached a Sermon before the University on some Sunday appointed by the President.

III. He shall produce a certificate from the President and Professor of Divinity, that he has performed the appointed Exercises and subscribed the thirty nine Articles.

### *Tit. VIII.—Of the Degree of Bachelor of Medicine.*

I. No person shall be admitted to the Degree of Bachelor of Medicine, until he shall have completed five years from his matriculation.

II. The candidate shall have kept twenty Terms, including the Terms of his matriculation and graduation; the first sixteen terms of which shall have been kept in all respects as they are appointed for Students in Arts, and the Council may dispense with his residence during one of the remaining Terms.

III. He shall have attended during his residence such Lectures as may be specially appointed for Students in Medicine.

IV. He shall produce a testimonium from the Examiners, that he had passed the examination requisite for the Degree of Bachelor of Arts; a certificate from the President or Vice President, that he has kept the requisite terms and attended the appointed Lectures; and a certificate from the Professor of Medicine, that he is bona fide fit to be admitted to the Degree of Bachelor of Medicine.

### *Tit. IX.—Of the Degree of Doctor of Medicine.*

I. No person shall be admitted to the Degree of Doctor of Medicine until he shall have completed three years from the time of his taking his Degree of Bachelor of Medicine; but candidates of eight years standing from their matriculation may, by dispensation, be allowed to take it immediately after that Degree.

II. The candidate shall have publicly delivered three Lectures on subjects in the science, approved by the Professor of Medicine, and shall produce a certificate from that Professor that he has performed the appointed Exercises, and is bona fide fit to be admitted to the Degree.

### *Tit. X.—Of Petition for and admission to Degrees.*

I. Every candidate for a Degree shall apply to the House of Convocation for a Grace by a Petition presented by some member of the house.

II. This Petition shall state the qualification of the Candidate, and be accompanied by the requisite certificates.

III. In case the House shall be satisfied, the candidate shall be introduced into the Convocation, and led up to the Chancellor's Chair by the Professor of his Faculty, or some Graduate appointed by the President or Vice President; and shall be presented in solemn form, and receive his Degree.

IV. The Degree shall be forthwith entered in the register of the Convocation by the Registrar; and letters testimonial granted at any time to the Graduate, if he desire them, under the Seal of the University.

### *Tit. XI.—Of Incorporation.*

I. The House of Convocation shall have power and authority to incorporate and admit to the same or a similar Degree, members of any University in the dominions of His Majesty, which shall be duly authorised and acknowledged by His Majesty's Government.

II. No Graduate shall be incorporated unless he shall have taken his Degree in the regular manner, after keeping the Terms and performing the exercises required by the Statutes of his own University; nor unless the Professor of the Faculty shall certify that such qualifications substantially correspond with those required by the Statutes of this University for the Degree desired.

III. Every Graduate admitted by incorporation, shall rank after all the members of the University, who shall have taken the same Degree previous to his incorporation.

### *Tit. XII.—Of Honorary Degrees.*

I. The House of Convocation shall have power, with the consent of the Council, to confer Honorary Degrees on eminent persons, whether British subjects or foreigners, when they shall visit the University, or by Diploma; but such honor shall not entitle  
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## APPENDIX.

the persons who receive it to exercise the powers and authorities, or enjoy the privileges, belonging to the respective Degrees, when conferred in the regular manner, unless by special dispensation by the Council.

### *Tit. XIII.—Of Prizes.*

I. It shall be competent to any society or individual to found Prizes for members of the University, with the approbation of the Council.

II. His Excellency Sir Howard Douglas, Baronet, Lieutenant Governor of the Province of New Brunswick, and first Chancellor of this University, having munificently founded a Gold Medal as a prize for compositions, subject to such regulations as the Council should appoint; it is hereby ordained that the subject and description of such composition shall be proposed by the Chancellor to the Undergraduate members of the University on the day of the *Encœnia* in every year; that each composition shall be sent to the President or Vice President, on or before the first day of May, with a motto corresponding with one on a sealed cover, containing the author's name; and that the President, Vice President and Professors decide on the composition to which the Medal shall be adjudged.

### *Tit. XIV.—Of Rank and Precedence.*

I. The officers and members of the University and College shall take precedence in the following order:

1. The Chancellor.
2. The President.
3. The Vice President.
4. The Professors according to the dates of their appointment.
5. Doctors of Divinity.
6. Doctors of Civil Law.
7. Bachelors of Divinity.
8. Doctors of Medicine.
9. Bachelors of Civil Law.
10. Masters of Arts.
11. Bachelors of Arts and Licentiates.
12. Undergraduates.

II. All Graduates and Undergraduates, otherwise of the same rank, shall take precedence according to the dates of their Degrees or priority of standing.

### *Tit. XV.—Of the Encœnia.*

I. A feast to be called the *Encœnia*, shall be celebrated annually, on the last Thursday in June, in commemoration of the foundation of the University.

II. On the Sunday preceding that day the Chancellor, Council, President, Vice President, Professors, Scholars, and all other members of the University, in their proper habits, shall repair to the College Chapel or Parish Church of Fredericton; where they shall attend Divine Service, and hear a Sermon by a Preacher appointed by the Chancellor.

III. On the Thursday they shall repair to the College hall, at 12 o'clock, noon, where the public Academical Act shall be held.

IV. An Oration in praise of the founders and benefactors of the University shall be delivered by the Professors of History and Modern Literature alternately.

V. Honorary or regular Degrees shall be conferred as at other times.

VI. Compositions which may have obtained the gold medal, founded by His Excellency Sir Howard Douglas, or other prizes which may be approved by the Council, shall be recited by the authors; and the prizes shall be then delivered to them by the presiding officer.

VII. The public Act shall then be closed in solemn form by the Chancellor, President or Vice President.

## CONCLUSION.

### TIT. I.—OF THE SANCTION OF THE STATUTES.

I. Punishments may be inflicted on all members of the University whatsoever, for offences against the Statutes or Regulations founded on them, at the discretion of the officers empowered to impose the same, where no specific punishment is directed by the Statutes.

II.

## APPENDIX.

II. Punishments may be pecuniary fines; impositions or exercises; confinement to private apartments, or to College; disallowance of Terms; postponement or refusal of Degrees; suspension or deprivation of places, offices or privileges; rustication, expulsion, or degradation.

III. An appeal from any sentence of punishment may at any time be made to the Council, through the medium of any member thereof, who shall think fit to sanction and bring forward the same.

IV. No member of the University shall be suspended from any office or situation in the College, or rusticated for a longer period than two Terms, or deprived of his Degree without the approbation of the Council.

V. All fines, forfeitures, and pecuniary punishments shall be carried to the College account by the Registrar, and duly levied by him; and where they are not imposed as a compensation for injuries, shall be applied to the support of the Library.

### TIT. II.—OF THE PROMULGATION OF THE STATUTES.

I. The Statutes engrossed and sealed, shall, together with the Charter, be deposited in the archives of the College.

II. A duplicate of the Statutes shall be deposited in the office of the Secretary of the Province, and another transmitted to the Visitor.

III. The Statutes shall be printed, and every member of the University on his admission shall be furnished with a copy.

IV. The Appendix hereunto annexed shall be taken as a part of the Statutes, and carried into execution as such.

## APPENDIX.

### I.—FORMULARIES.

#### *I. The Oath of Allegiance.*

I, A. B. do sincerely promise and swear that I will be faithful and bear true allegiance to His Majesty King William. So help me God.

#### *II. The Oath of Office.*

I, A. B. do solemnly swear that I will faithfully discharge all the duties of the office of \_\_\_\_\_ to which I am now appointed, according to the Statutes of the University, and the true intent of the same, to the best of my knowledge and abilities. So help me God.

#### *III. The Examiners Testimonium.*

We do certify that A. B. was examined by us for the degree of Bachelor of Arts according to the Statutes of the University, and on the \_\_\_\_\_ day of \_\_\_\_\_ and that we found him fit to be admitted to the said Degree. Witness our hands, this \_\_\_\_\_ day of \_\_\_\_\_

C. D. }  
E. F. } Examiners.

#### *IV. Testimonia of qualifications for the several Degrees.*

We \_\_\_\_\_ certify that A. B. is now a member of this College; and is of the standing, has kept the Terms, attended the Lectures, and performed the exercises required by the Statutes for the Degree of \_\_\_\_\_

Witness our hands this \_\_\_\_\_ day of \_\_\_\_\_

G. H. }  
J. K. } &c. &c.

#### *V. Petition for a Dispensation.*

A. B. \_\_\_\_\_ &c. having \_\_\_\_\_ (state the grounds of application) humbly supplicates the Council, that they would graciously be pleased to dispense with his residence for two Terms (or as the case may be).

#### *VI. Form of presentation to a Degree.*

Insignisse Cancellarie (Præses, or Vice Præses) præsentō vobis A. B. Scholarem in facultate Artium (Baccalaureum, &c.) ud admittatur ad Gradum Baccalaurei in Artibus (Magistri &c.) testorque illum adeum Gradum, quad ad omnia quæ statuta requirunt aptum ed idoneum esse.

## APPENDIX.

### *VII. Form of admission to a Degree.*

Ad (honorem Domini Nostri Jesu Christi, et ad) profectum Patriæ Provinciæque, Ego Auctoritate mea et totius Universitatis admitto te in Gradum Bacculari in Artibus (Magistri, &c.) licentiamque tibi do omnia ea faciendi, quæ ad statum istum pertinent, (in nomine Dei Patris, Filii, et Spiritus Sancti).

While the Chancellor, President or Vice President pronounces the last words, he shall reverently uncover his head; but the words in brackets shall be used only when the Degree is in Divinity.

### *VIII. Petition for Incorporation.*

A. B. Bachelor of Arts, (Master, &c.) in the University of \_\_\_\_\_, humbly supplicates the Venerable House of Convocation, that he may be admitted to the same (or the like) Degree, State and Dignity in this University which he enjoys in his own.

### *IX. The Presentation.*

Insignissime, &c. præsentō vobis hunc Baccalaureum (Magistrum &c.) in Academia creatum, ut sit eodem (vel simili) Gradu, statu et dignitate apud nos quibus ornatus est apud suos.

### *X. The Admission.*

Domine, Ego admitto te in eundem (vel similem,) Gradum statum, et dignitatem hic apud nos quibus ornatus es apud tuos.

### *XI. Grace—Before Meals.*

Propitius nobis adsis, Deus Optime Maxime; tuisque donis, quæ benignitate tua percepturi sumus, benedicito per Jesum Christum Dominum Nostrum.

### *— After Meals.*

Gratias agimus tibi, Deus Optime Maxime, pro omnibus donistuis; humillime precantes, ut illis in tuam gloriam utentes, benignitate tua nunc et in æternum prefruemur, per Jesum Christum Dominum Nostrum.

## II.—TABLE OF DUES AND FEES.

*To be altered from time to time at the discretion of the Council.*

Every person on matriculation or incorporation shall pay to the Registrar,	£0	5	0
Every person on matriculation or incorporation, if not admitted on the foundation, shall deposit in the hands of the Registrar, for caution money,	10	0	0
Every member of the University shall pay annually for the support of the Library,	0	5	0
For the purchase of Plate,	0	2	6
Every member of Convocation shall pay annually towards the support of the College, the additional sum of	1	2	6
Every member of the College shall pay for board and attendance for every week of Term which he shall reside in College,	0	12	6
During vacation, for every day which he shall reside,	0	3	0
For every stranger whom he may bring to Table—For Dinner,	0	1	6
For Breakfast or Tea,	0	1	0
Every member shall pay to each Professor whose Lectures he shall attend, the annual sum of	1	0	0
Every Undergraduate shall pay to his Tutor, the annual sum of	5	0	0
Every person admitted or incorporated Bachelor of Arts, or as a Licentiate in Civil Law, shall pay—To the President or Vice President,	2	6	8
To his Tutor (or Presenter, in case of incorporation),	1	3	4
To the Registrar,	0	10	0
To the Beadle,	0	5	0
Admitted or incorporated Master of Arts, Bachelor of Divinity, Civil Law, Medicine or Music—To the President or Vice President,	3	10	0
To the Professor in the Faculty,	2	6	8
To the Registrar,	0	15	0
To the Beadle,	0	7	6
Admitted or incorporated Doctor in any Faculty—			
To the President or Vice President,	5	0	0
To the Professor of the Faculty,	3	10	0
To the Registrar,	1	3	4
To the Beadle,	0	10	0

## APPENDIX.

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### CHARTER OF KING'S COLLEGE.

GEORGE the FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, &c.

To all to whom these Presents shall come, Greeting :

Whereas the establishment of a College within our Province of New Brunswick, in North America, for the education of Youth in the principles of the Christian Religion, and for their instruction in the various branches of Science and Literature which are taught at our Universities in this Kingdom, would greatly conduce to the welfare of our said Province. And whereas humble application hath been made to us by many of our loving subjects in our said Province, that we would be pleased to grant our Royal Charter for the more perfect establishment of a College therein, and for incorporating the members thereof for the purposes aforesaid : Now know ye, that We, having taken the premises into our Royal consideration, and duly weighing the great utility and importance of such an Institution, have of our special grace, certain knowledge, and mere motion, ordained and granted, and do by these Presents, for Us, our Heirs and Successors, ordain and grant that there shall be established at or near our Town of Fredericton, in our said Province of New Brunswick, from this time, one College with the style and privileges of an University as hereinafter directed, for the education and instruction of Youth and Students in Arts and Faculties, to continue for ever, to be called King's College: And we do hereby declare and grant that our trusty and well beloved the Right Reverend Father in God, John, Bishop of the Diocese of Nova Scotia, or the Bishop for the time being, of the Diocese in which the said Town of Fredericton may be situate in any future division or alteration of the said present Diocese of Nova Scotia, shall for us, and on our behalf, be the Visitor of the said College, and that our trusty and well beloved Sir Howard Douglas, Baronet, our Lieutenant Governor of our said Province, or the Governor, Lieutenant Governor, or other person administering the Government of our said Province for the time being, shall be the Chancellor of our said College: And we do hereby declare, ordain and grant, that there shall at all times be one President of our said College, who shall be a Clergyman in Holy Orders of the United Church of England and Ireland, and that there shall be such and so many Professors in different Arts and Faculties within our said College, as from time to time shall be deemed necessary or expedient, and as shall be appointed by us or by the said Chancellor of our said College on our behalf and during our pleasure. And we do hereby grant and ordain that the Reverend George Best, Master of Arts, Archdeacon of our said Province of New Brunswick, shall be the first President of our said College, and the Archdeacon of our said Province for the time being, shall by virtue of such his office be at all times the President of the College. And we do hereby for us, our Heirs and Successors, will, ordain, and grant that the said Chancellor and President, and the said Professors of our said College, and all persons who shall be duly matriculated into and admitted as Scholars of our said College, and their successors forever, shall be one distinct and separate body, politic and corporate, in deed and in name, by the name and style of "The Chancellor, President and Scholars of King's College, at Fredericton, in the Province of New Brunswick," and that by the same name they shall have perpetual succession and a common seal, and that they and their successors shall from time to time have full power to alter, renew or change such common seal at their will and pleasure, and as shall be found convenient; and that by the same name they the said Chancellor, President and Scholars, and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments, of what kind, nature, or quality soever (situate and being within our said Province of New Brunswick) so as that the same do not exceed in yearly value the sum of fifteen thousand pounds above all charges; and moreover to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever: And we do hereby declare and grant that the said Chancellor, President and Scholars, and their successors, by the same name, shall and may be able and capable in law to sue, and be sued, implead and be impleaded, answer and be answered in all or any Court or Courts of Record within our United Kingdom of Great Britain and Ireland, and our said Province of New Brunswick, and other our Dominions in all and singular actions, causes, pleas,

## APPENDIX.

pleas, suits, matters and demands whatsoever, of what nature and kind soever, in as large, ample, and beneficial manner and form as any other Body Politic and Corporate, or any other our liege subjects, being persons able and capable in law, may or can sue, implead, or answer, or be sued, impleaded or answered in any manner whatsoever. And we do hereby declare, ordain and grant, that there shall be within our said College or Corporation a Council, to be called and known by the name of the College Council. And we do will and ordain that the Council shall consist of the Chancellor and President for the time being, and of seven of the Professors in Arts and Faculties of our said College, and that such seven Professors shall be members of the United Church of England and Ireland, and shall previously to their admission into the said College Council, severally sign and subscribe the thirty nine articles of Religion, as declared and set forth in the Book of Common Prayer; and in case at any time there should not be within our said College seven Professors of Arts and Faculties, being members of the Established Church aforesaid, then our will and pleasure is, and we do hereby grant and ordain, that the said College Council shall be filled up to the requisite number of seven, exclusive of the Chancellor and President for the time being, by such persons being Graduates of our said College, and being members of the Established Church aforesaid, as shall for that purpose be appointed by the Chancellor for the time being, of our said College, and which members of Council shall in like manner subscribe the thirty nine articles aforesaid, previously to their admission into the said College Council. And whereas it is necessary to make provision for the completion and filling up of the said Council at the first institution of our said College, and previously to the appointment of any Professors or the conferring of any Degrees therein. Now we do further ordain and declare that the Chancellor of our said College for the time being, shall upon, or immediately after the first institution thereof, by warrant under his hand, nominate and appoint seven discreet and proper persons, resident within our said Province of New Brunswick, to constitute jointly with him the said Chancellor, and the President of our said College for the time being, the first or original Council of our said College, which first or original members of the said Council shall in like manner respectively subscribe the thirty nine articles aforesaid, previously to their admission to the said Council. And we do further declare and grant, that the members of the said College Council holding within our said College the offices of Chancellor, President or Professor in any Art or Faculty, shall respectively hold their seats in the said Council so long as they and each of them shall retain such their offices aforesaid, and no longer, and that the members of the said Council, not holding offices in our said College, shall from time to time vacate their seats in the said Council, when and so soon as there shall be an adequate number of Professors in our said College, being members of the Established Church aforesaid, to fill up the said Council to the requisite number before mentioned. And we do hereby authorise and empower the Chancellor for the time being of our said College, to decide in each case what particular member of the said Council, not holding any such office as aforesaid, shall vacate his seat in the said Council upon the admission of any new member of Council holding any such office. And we do hereby declare and grant that the Chancellor for the time being of our said College, shall preside at all meetings of the said College Council which he may deem it proper or convenient to attend, and that in his absence the President of our said College shall preside at all such meetings, and that in the absence of the said President the senior member of the said Council present at any such meeting, shall preside thereat; and that the seniority of the members of the said Council, other than the Chancellor and President, shall be regulated according to the date of their respective appointments: Provided always, that the members of the said Council, being Professors in our said College, shall in the said Council take precedence over and be considered as seniors to the members thereof not being Professors in our said College. And we do ordain and declare that no meeting of the said Council shall be or be held to be a lawful meeting thereof, unless five members at the least be present during the whole of every such meeting, and that all questions and resolutions proposed for the decision of the said College Council, shall be determined by the majority of the votes of the members of Council present, including the vote of the presiding member, and that in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote. And we do further declare that if  
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## APPENDIX.

any member of the said Council shall die or resign his seat in the said Council, or shall be suspended or removed from the same, or shall by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for three calendar months or upwards of attending the meetings of the said Council, then and in every such case a fit and proper person shall be appointed by the said Chancellor to act as, and be a member of, the said Council in the place and stead of the member so dying or resigning, or so suspended or removed, or incapacitated as aforesaid, and such new member succeeding to any member so suspended or incapacitated, shall vacate such his office on the removal of any such suspension, or at the termination of any such incapacity as aforesaid, of his immediate predecessor in the said Council. And we do further ordain and grant, that it shall and may be competent to and for the Chancellor for the time being of our said College, to suspend from his seat in the said Council any member thereof for any just and reasonable cause to the said Chancellor appearing; provided that the grounds of every such suspension shall be entered and recorded at length, by the said Chancellor, in the books of the said Council, and signed by him. And every person so suspended shall thereupon cease to be a member of the said Council, unless, and until he shall be restored to, and re-established in such his station therein, by any order to be made in the premises by us, or by the said Visitor of our said College, acting in our behalf, and in pursuance of any special reference from us. And we do further declare, that any member of the said Council, who without sufficient cause to be allowed by the said Chancellor, by an order entered for that purpose on the said Council books, shall absent himself from all the meetings thereof, which may be held within any six successive calendar months, shall thereon vacate such his seat in the said Council. And we do by these presents for us, our heirs and successors, will, ordain and grant that the said Council of our said College shall have power and authority to frame and make statutes, rules and ordinances touching and concerning the good government of the said College, the performance of Divine Service therein, the studies, lectures, exercises, degrees in arts and faculties, and all matters regarding the same, the residence and duties of the President of our said College, the number, residence and duties of the Professors thereof, the management of the revenues and property of the said College, the salaries, stipends, provision and emoluments of and for the President, Professors, Scholars, Officers and Servants thereof, the number and duties of such Officers and Servants, and also touching and concerning any other matter or thing which to them shall seem good, fit and useful for the well-being and advancement of our said College, and agreeable to this our Charter, and also from time to time by any new statutes, rules or ordinances to revoke, renew, augment or alter all, every, or any of the said statutes, rules and ordinances, as to them shall seem meet and expedient. Provided always, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdom of Great Britain and Ireland, or of our said Province of New Brunswick, or to this our Charter: Provided also, that the said statutes, rules and ordinances, shall be subject to the approbation of the said Visitor of the said College for the time being, and shall be forthwith transmitted to the said Visitor for that purpose, and that in case the said Visitor shall for us and on our behalf, in writing, signify his disapprobation thereof within two years of the time of their being so made and framed, the same or such part thereof as shall be so disapproved by the said Visitor, shall from the time of such disapprobation being made known to the said Chancellor of our said College be utterly void and of no effect, but otherwise shall be and remain in full force and virtue. Provided nevertheless, and we do hereby expressly save and reserve to us, our heirs and successors, the power of reviewing, confirming, or revising by any order or orders, to be by us or them made, in our or their Privy Council, all or any of the decisions, sentences or orders so to be made as aforesaid by the said Visitor, for us and on our behalf, in reference to the said statutes, rules and ordinances, or any of them. And we do further ordain and declare that no statute, rule or ordinance shall be framed or made by the said College Council, touching the matters aforesaid or any of them, excepting only such as shall be proposed for the consideration of the said Council by the Chancellor for the time being of our said College. And we do require and enjoin the said Chancellor thereof to consult with the President of our said College, and the next senior member of the said College Council, respecting all statutes, rules and ordinances to be proposed by him

## APPENDIX.

to the said Council for their consideration. And we do hereby for us, our heirs and successors, charge and command that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time in full vigour and effect, under the penalties to be thereby or therein imposed or contained. And we do further will, ordain and grant, that the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by our Universities of our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had or enjoyed by virtue of these our Letters Patent; and that the Students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor, in the several Arts and Faculties, at the appointed times; and shall have liberty within themselves of performing all Scholastic Exercises for the conferring such Degrees in such manner as shall be directed by the statutes, rules and ordinances of the said College. And we do further will, ordain and appoint, that no religious test or qualification shall be required of, or appointed, for any persons admitted or matriculated as Scholars within our said College, or of persons admitted to any Degree in any Art or Faculty therein, save only that all persons admitted within our said College to any Degree in Divinity shall make such and the same declaration and subscription, and take such and the same oaths as are required of persons admitted to any Degree of Divinity in our University of Oxford. And we do further will, direct and ordain that the Chancellor, President and Professors of our said College, and all persons admitted therein to the Degree of Master of Arts, or to any Degree in Divinity, Law or Medicine, and who from the time of such their admission to such Degree, shall pay the annual sum of twenty shillings sterling money, for and towards the support and maintenance of the said College, shall be and be deemed, taken and reputed to be members of the Convocation of the said University, and as such members of the said Convocation, shall have, exercise, and enjoy all such and the like privileges as are enjoyed by the members of the Convocation of our University of Oxford, so far as the same are capable of being had and enjoyed by virtue of these our Letters Patent, and consistently with the provisions thereof. And we will, and by these presents, for us, our heirs and successors, do grant and declare, that these our Letters Patent, or the enrolment or exemplification thereof, shall and may be good, firm, valid, sufficient, and effectual in the Law, according to the true intent and meaning of the same, and shall be taken, construed, and adjudged in the most favorable and beneficial sense, for the best advantage of the said Chancellor, President and Scholars of our said College, as well in our Courts of Record or elsewhere; and by all and singular Judges, Justices, Officers, Ministers, and other subjects whatsoever, of us, our heirs and successors, any mis-recital, non-recital, omission, imperfection, defect, matter, cause or thing whatsoever, to the contrary thereof in any wise notwithstanding. Witness ourself, at Westminster, the fifteenth day of December, in the eighth year of our Reign.

By Writ of Privy Seal.

(Signed)

BATHURST.

True copy of the Charter, GEO. FRED. STREET, Registrar.

The Select Committee to whom were referred the Petitions praying for a modification in the Charter of King's College, have attended to the important duties devolving upon them, and having duly deliberated on the subject, respectfully beg leave to submit the following Report:—

We have had before us an Act of Upper Canada passed the 4th March, 1837, intituled "An Act to amend the Charter of the University of King's College." On reference to the Royal Charter, recited at length in the preamble to that Act, we perceive that it is nearly a literal copy of the Charter of King's College in this Province. The modifications effected by the Canadian Act we are prepared to recommend to the favorable consideration of the House; and while we unanimously admit that nothing should be done by the Legislature which may have the effect of impairing the efficiency of the Institution, we at the same time deem it indispensable that it should be divested of its present exclusive character, as regards the preference given to Members of the Church of England.

The



## APPENDIX.

The following provisions of the Charter, in juxtaposition with the modifications recommended to the House, will show the extent of the contemplated changes.

By the Charter, the Lord Bishop of the Diocese is *ex officio* Visitor,

*We recommend that the Chief Justice and senior Puisne Judge of the Supreme Court be Visitors in the place of the Lord Bishop.*

By the Charter, the Visitor is empowered to disapprove of any Statutes, Rules, and Ordinances, within two years from their enactment.

*We recommend that no such power be vested in future Visitors.*

By the Charter, it is declared that there shall always be a President of the College, and that the Archdeacon of this Province shall be at all times such President.

*We recommend that in future the President need not be the incumbent of any Ecclesiastical office.*

By the Charter, it is required that all the Professors and members of the Council shall be members of the united Church of England and Ireland, and shall severally subscribe the thirty nine articles of religion, as set forth in the Book of Common Prayer.

*We recommend that no Professor or member of the Council need be a member of the said Church, or subscribe the said articles; but that the Professors and members of the Council be required to subscribe a declaration that they believe in the authenticity and divine inspiration of the Old and New Testaments, and in the doctrine of the Trinity.*

By the Charter, it is declared that no religious test shall be required of any persons admitted or matriculated as Scholars, save only of Students of Divinity, who are to take such and the same oaths as are required of persons admitted to any Degree of Divinity in the University of Oxford.

*We recommend that no religious test be required of Students or of persons admitted to any Degree or Faculty in the said College.*

By the Charter, it is required thatt he College Council shall consist of the Chancellor and President and seven Professors.

*We recommend that the Council shall in future be composed as follows, viz:—The Chancellor, the President, the Master of the Rolls, the two Junior Puisne Judges of the Supreme Court, two Professors of the College, and two other members to be appointed annually by the Chancellor, with the consent of at least three of the first named members, making nine in all, five of whom shall constitute a quorum.*

By the Charter, it is declared that no Statute, Rule or Ordinance shall be passed or made by the College Council, except such as shall be proposed by the Chancellor for the time being, who is to consult the President and next senior member of the Council respecting such Statutes, Rules, and Ordinances, so to be proposed.

*We recommend the abolition of this restriction, and that it shall be competent for any member of the Council to propose such modifications of and additions to the Statutes, Rules, and Ordinances as he may deem proper, without first consulting with, or obtaining the consent of, the Chancellor for the time being.*

From the allegations and prayers of the Petitions before us we have been induced to believe that the Petitioners disapprove of the Theological Chair being occupied exclusively by a Clergymen of the Church of England.

After the abolition of the existing tests and restrictions as above recommended, it is evident that Students of any denomination of Christians could graduate in Divinity under the Professorship of Theology as now established. But the objection is made that Students of Divinity of other denominations than the Church of England, would not only not receive any instruction on the peculiar tenets of their respective sects, but would be exposed to the inculcation of doctrinal views at variance with their own, and while such a state of things exists it would be a virtual exclusion of all Students of Divinity, except those intended for the Church of England.

In disposing of this part of the subject we find many difficulties to contend with. To abolish entirely the Professorship of Theology, and thereby reduce the College to a purely literary and scientific institution, would be a measure which we could not venture



## APPENDIX.

venture to recommend; to increase the number of Professors on this branch of Collegiate study so as to supply the wants of every denomination, would be an extravagant and unjustifiable expenditure of the public money—would be better calculated to make Polemics than Divines, and would in no wise advance the interests of true religion.

We are well aware of the difficulty in dealing with the sectarian prejudices of mankind, and although we are convinced that no arrangements short of a full compliance with the requests and wishes of every denomination would afford complete satisfaction to all, yet we are prepared to submit our views of a remedy for the present causes of complaint, and if these when carried out in practice should fail to give satisfaction, we freely admit that in our hands the case is remediless.

The principal Protestant divisions in this Province are the Church of England, the Wesleyan Methodists, the Presbyterians, and the Calvinistic Baptists. The two former agree in all points of doctrine, while they differ in their mode of Church Government, and the same observation may be made with regard to the two latter, while *all* agree in opinion as to the main or fundamental doctrines of the Old and New Testaments.

The differences being then on what are called minor or non-essential points, (which form but a very inconsiderable portion of a Theological education) we consider it practicable for one Professor to give his Lectures such a direction, that while the most useful and beneficial instruction may be imparted to *all*, the peculiarities of no *one* denomination need be preferred.

Those who may enter College as Students of Divinity will carry with them the bias and prejudices of previous religious instruction, inclining them to a preference for those denominations in connection with which they may have been respectively educated; and thus while all would be deriving instruction from the same source, each could apply that instruction to his own peculiar doctrines and mode of Church government.

All which is respectfully submitted.

L. A. WILMOT.  
JAMES BROWN, JUN.  
I. WOODWARD.

*Committee Room, March 8, 1838.*

### SUPPLEMENTARY REPORT.

The Committee on College affairs beg to submit the following supplementary Report on the accounts of the income and expenditure of King's College:—

No. 1. Is an account of the income and expenditure of King's College for the year 1836. By this account it appears that the sum of £2,364 0 2½ is the amount received, in addition to which, a balance from last year in the Treasurer's hands, makes the gross income for the year 1837, £2,623 8 8½. In the receipts for the year 1836, are amounts of rents, interest and stumpage; the amount of interest for 1837 is £66, arising from monies invested in landed securities, although neither the account now under consideration, nor the last year's account, show the amount of principal. The gross expenditure of the year is stated at £2,723 8 11, leaving a balance due the Treasurer of £100 0 2½. Among the items of expenditure are included the salaries of the Professors, Lecturers, Master and Assistant of the Grammar School, and officers of the College; also a special grant to the Steward, "towards making up loss he had sustained in the expenses of the Establishment of £60;" also "donation to Powell, the late Beadle, of £8;" also £191 13 4 to reimburse Doctor Robb for "costs and expense of Philosophical Instruments brought out with him for the College;" and "£62 2 8 for repairs on the College and College Schools in the course of the year;" and it appears that £723 18 11 of debts due by the College, have been paid off during the year. £626 15 11, principal and interest, due to Doctor Somerville; £95 16 3 remitted to Rivington on account of books formerly imported for the College, and £1 6 9 to John Robertson, for expenses on the importation of Philosophical Instruments.

No. 2. Is a list of debts remaining due from the College, stated as £441 6 0. One hundred pounds of which is a supposed amount due for "Instruments purchased, and fitting up Lecture and collection Rooms in the College." No.

## APPENDIX.

No. 3. Is a list of debts due to the College, amounting to £453 0 5; arrears of rent £220; debts due by bond or note, £51 1 5; arrears of interest due on 24th March last, on monies vested in landed securities, which appears to be in addition to the amount received and credited in account No. 1, of £66. This throws your Committee afloat again as to the principal which may be due to the College; there also appears to be £111 due as arrears of rent, considered as bad and not likely to be recovered.

No. 4. Is a statement of Lands belonging to the College, which remain the same as last year, with the exception of eight wood lots lying in the rear of the Town, sold at auction on 30th December last, amounting to £307 17 6, payable by four equal instalments, three, six, twelve, and fifteen months, with interest; also sundry Town Lots in Block No. 7, in the Town plat of Fredericton, leased for 21 years, amounting to £208 7 annually, payable half yearly, from 24th March next.

No. 5. Is a list of the number and names of the Professors and Lecturer, and their Professorships, on the 1st January, 1838.

No. 6. Is a list of the number and names of Students in King's College, keeping terms in the whole or a part of the year 1837, in all twenty one, in which "4 are resident," "2 resident while keeping Terms," "11 non resident," "1 resident part of the time," "1 resident, and since left," "2 matriculated, but not yet kept any terms."

No. 7. Is an account of fees and tuition money, received or due to the Professors and other officers of King's College for the year 1837, amounting in all to £121.

It appears by the above accounts, that the fixed expenditure, with the additional Professor and Lecturer, amounts for the last year to £1,769 8 currency, which is £169 8 beyond the amount reported as the fixed expenditure last year.

It is difficult for your Committee to state the amount of fixed income, from their not being in possession of the amount of monies at interest, and your Committee hope that next year an account of those *amounts due the College, and from whom*, may be laid before the House.

Respectfully submitted.

L. A. WILMOT.  
I. WOODWARD.  
JAS. BROWN, JUN.

*Committee Room, March 8, 1838.*

No. 11.

—

# REPORT

UPON

## LUNATIC ASYLUM.

—

*Saint John, 1st January, 1838.*

MAY IT PLEASE YOUR EXCELLENCY,

**A** GREEABLY to their request I, last year, had the honor of making a communication to the Commissioners appointed to ascertain the most eligible site, near the City of Saint John, for a Provincial Lunatic Asylum. With regard to the temporary Lunatic Asylum under my charge in this City, and the establishment, since that period, having received liberal support from the Legislature, I feel myself called upon to make this report to Your Excellency, for the purpose of shewing to Your Excellency and the Legislature the immediate advantage to the unfortunate Lunatics which even this temporary Institution has been, and the indispensable necessity which exists for a Provincial Asylum on a scale sufficiently large to accommodate the number of Lunatics at present in the Province, and on a plan capable of extension so as to meet the increasing wants of the Colony.

Before the establishment of this temporary Asylum the poor Lunatics for their safe keeping were generally confined in Gaol by the Warrant of two Magistrates agreeably to a Law of the Province; a situation of all others where they would be least likely to recover, and where from neglect and filth they really became objects of disgust rather than of compassion; but since this Institution has received support from the Legislature the Superintendent has wisely thrown open the Asylum for the reception of Lunatics from every County in the Province, and the Gaols are now no longer prisons for Lunatics, and a practice so disgraceful to humanity I am happy to say no longer exists. The law itself, however, is still a blot upon the Statute book.

A period of thirteen months has now elapsed since I made my report to the Commissioners, and according to the classification which I then adopted, the number and description of the cases, and the result of the treatment both of those at that time in the Asylum, and the patients since admitted will appear by the following Table:—

Classification of cases when admitted.	How dismissed.					State of the remaining.		Total of the several Classifications.
	Cured.	Relieved.	By desire.	Unfit.	Died.	Improved.	Continuing the same.	
Maniacs,.....	14	1	1		1	3	4	24
Maniacs, Furious,.....	1				1			2
Melancholies.....					1			1
Melancholies. Irascible,..								
Imbecile,.....			2		4		9	15
Fatuous,.....							1	1
TOTAL,.....	15	1	3		7	3	14	43

There

## APPENDIX.

There have also been admitted thirteen cases of delirium tremens, most of them being outrageous and requiring as much restraint as any Maniac; but as persons affected with this disease are not, strictly speaking, insane, nor generally considered proper subjects for a Lunatic Asylum, I have not included them in the above Table. When labouring under that disease, however, they are quite unfit to be at large, both on account of their own and others safety, and moreover their temporary confinement in an Asylum, independently of affording them the best means of cure, is frequently of essential service by keeping out of their reach the stimulus which has been the cause of their malady, and thus, in some measure, breaking a habit which, if continued to be indulged in, must inevitably end in the destruction of the individual.

Two or three have also been sent to the Asylum, in whom the delirium of Fever has been mistaken for Insanity, and although the crowded state of the Asylum would have led us to refuse their being admitted, humanity compelled us to allow them to remain.

Of the cases which I have included in the above Table 16 were recent or had been affected within six months previous to admission, and 26 old cases, consisting of such as had been affected for upwards of six months previously, and the result of the cures is as follows :—

26 old cases, with 3 cures,  
17 recent, “ 12 “

In looking at the above result it must be borne in mind that this Asylum has only been thrown open for the admission of Patients from all parts of the Province for about nine months, and as no Asylum has heretofore existed in the Province, our number of old cases has been much greater than our number of recent cases, and as a consequence our number of cures in so short a space of time have been few, at least among the former class. But this is not the worst of it; many of these unfortunate Lunatics have been for months and a few of them for years confined in Gaol, or in some dark ill ventilated and cold room or cell at the residence of their friends, where their safe keeping alone was looked to, and where, from neglect and filth, and want of proper medical treatment, they have been reduced to extreme emaciation; from such mismanagement, diseases which are little under the control of medicine were contracted, and in an awfully emaciated and diseased state have they been admitted into the Asylum, some of them with every symptom of confirmed decline, and others with a chronic state of inflammation of the lining of the stomach and alimentary canal, accompanied with an aphthous state of the mouth and tongue, all proceeding from improper confinement in some damp cold place, and want of attention to the state of the stomach, an irregularity to which Maniacs are particularly liable, and which, if not attended to, independently aggravating their malady, is sure to produce disease in some shape or other.

Two of the Patients were admitted with fracture of the thigh bone, one of them was a female six months gone with child, who jumped out of a window near thirty feet from the ground, the other a man who had cut his throat from ear to ear, and only been dismissed cured about six months previously from the Asylum, and who now had met with his accident by jumping or tumbling over a ship's side, on the stocks. The cures in these two cases were very satisfactory. They were both performed without splints, and the strait waistcoat was required for each during the whole process. The woman was able to walk before she was delivered, and perfectly restored to reason a few weeks afterwards, and does not now shew the slightest limp, indeed to use her own words, “you'd never know her leg had been broken.” The man, poor fellow, though perfectly cured of his fractured thigh and mania, was not so fortunate. He was seized with fever during his convalescence, from which he had a relapse accompanied with a good deal of inflammation of the mucous membrane or lining of the bowels, which went on to ulceration, and after lingering for some time with protracted and exhausting diarrhoea, he sunk.

There has been a great deal of sickness in the City of Saint John during the whole of the past year. Fever, small pox, measles, and many other contagious diseases have likewise been very prevalent, and in common with the inhabitants of the City the inmates of our Asylum have suffered. We have lost two or three of our imbecile patients from repeated attacks of fever, frequently before the convalescence was fully established they have been thrown back, notwithstanding the great care which is paid to their diet, cleanliness and general health. One poor fellow, who is now quite strong and well

## APPENDIX.

well, had no less than three relapses, and I quite despaired of ever getting him upon his legs again. The cold weather, however, did wonders for him, and he convalesced rapidly.

The building has been very much improved, and the new arrangements, both in the yards and interior, have added much to the comfort of the establishment. But we still labour under all the difficulties of want of space and employment for the patients, without which they are sure to despond, and brood over their hallucinations. Indeed it may be truly said we possess only half the means of cure.

We have also felt very great inconvenience from the want of proper keepers, and should a Provincial Asylum be established, it will be indispensably necessary to obtain two or three persons who have been accustomed to the management of the insane in some one of the Asylums in England or the United States, to take charge of the patients for some time, and for the purpose of instructing others in the very important duties of Keepers to the Institution.

With regard to the number of Lunatics in and belonging to the Province, I believe that the estimate which was formed of one in every thousand of the population will be found to be very near the truth. There are a number now confined in Asylums in the States who would, no doubt, be immediately removed here by their friends if a proper establishment was provided for their reception.

In conclusion allow me to add, that the very able report of the Commissioners which was presented to the Legislature last winter, has, I am happy to see, been spoken of in the most unqualified terms of approbation in the twelfth annual report of the managers of the Prison Discipline Society of the United States. "It is a document," they say, "which reflects much honor upon the Commissioners and upon the Province;" and with a fervent hope that the Legislature will act upon it, and erect a building in every respect according to the plan recommended in that report,

I have the honor to be, &c.

GEORGE P. PETERS, M. D.

His Excellency Sir John Harvey, &c.

### SUPERINTENDENT'S REPORT,

*In connection with the Account of Expenses and Record of Lunatics in the Temporary Asylum, in the City and Parish Saint John, for the year ending 31st December, 1837.*

While tendering the account for expenses in support and safe keeping of Lunatics in the Temporary Asylum, in the City and Parish of Saint John, for the year ending 31st December instant, and record of the Patients under care in that Institution for the same time, the Superintendent begs leave to accompany the same with the following few brief remarks:—

First, in regard to the account.—The very indifferent state of the building used for an Asylum, and its partially finished condition, required many improvements to be made on it last year, and the great increase in number of Patients this year, resulting mainly from the Asylum being thrown open for the admission of patients from all parts of the Province, and the anticipation of more in prospect from the same cause, rendered it absolutely necessary to extend and improve the accommodation conformably with such increase, and prospective requirement.

The charges in the account for the different services of the Institution, may be classed as follows, viz:

Supplies, say Wood, Coal, Straw, Soap, Candles, Oil, &c.	£96	2	5
Furnishings, Stoves and Pipes, Bedsteads, Bedding and Straight Waistcoats, &c. &c.	97	7	9
Diet,	368	14	3
Clothing,	79	16	1
Funeral expenses,	17	10	0
Improvements, finishing and improving original building, and constructing additional out buildings,	334	15	10
Salaries to under Officers, &c. &c.	72	10	0
Miscellaneous, Cartages, &c. &c. &c.	15	0	11
	£1,081	17	3
			On

## APPENDIX.

On account the expenses of patients, the sum £25 15, from the friends of Johnston and Austin, is all which has been received, and from the pauper and emigrant character of the Lunatics sent to this temporary Institution, but little, if any, part of the cost of their maintenance and protection, can ever be looked for or expected.

The additional account of charges made for the services of the superior Officers, Doctor, House Steward and Superintendent, it is trusted will not be looked upon as otherwise than moderate; particularly when it is considered how much anxious care and solicitude must attend the service and custody of insane individuals at all times.

Secondly, the Record.—From this will appear the great number requiring protection and support in the Institution last year, amounting in all to 54 patients. Of this number 34 were males, 9 of whom remained over in Ward from the year preceding, and 20 females, 5 of whom were in Ward from the previous year. Of the 34 males, 5 were discharged cured, 1 discharged improved, one escaped, and 13 died, leaving yet in Ward, 14; of which number 3 are much improved, 3 improved in some degree, and 8 are unimproved. Of the 20 females, 10 were discharged cured, one discharged to friends, and 2 died, leaving yet in Ward 7; of which number 1 is much improved, 2 improved in some degree, and 4 are unimproved.

As the medical attendant, Doctor Peters, has made particular report professionally on the subject of the Institution and its inmates, to the Executive, this year, and furnished the Superintendent with copy of such Report, which copy accompanies the Account &c. herewith, it is not necessary here to add any thing farther on the subject of the character and description of the patients, more than to state that the intemperate use of ardent spirits prevailing so extensively amongst the lower orders of society, and particularly with males, accounts for the great prevalence of insanity, and the consequent mortality amongst patients of that sex; and the large number admitted of all sexes is greatly owing to the unusual crowd of strangers in the city and parish this year, and the extraordinary extent of sickness generally prevailing amongst them.

The rapidly increasing number of patients in this temporary Institution, and yet almost all of them of a pauper and emigrant character only, makes manifest how needful it is to have a Provincial establishment of this description in a suitable situation, and on a generous scale, both in regard to accommodation in buildings, and extent of grounds around, for the advantage of this unhappy description of patients, amongst the most unfortunate of the human family; and it is therefore to be hoped that, the present Session of the Legislature will not pass by without some solid advances being made towards laying the foundation of an Institution for the Insane, on a place creditable to the present prosperous and enlightened area in our Provincial History, to be followed with that promptitude in its construction and equipment, as shortly to supercede the very imperfect and inefficient temporary Asylum in the City Saint John.

As the establishment of a Provincial Asylum is an event which cannot but be looked for as almost immediate, it may not be amiss before closing this report, to enumerate here the principal furnishings on hand, and the value in the temporary Asylum, capable of being transferred with advantage to another Institution of a like description; they are mainly as follows, viz:

18 Iron Bedsteads, with bed furniture complete, value, £4 10 each	£81	0	0
18 Cot Stretchers, with do. do. £3,	54	0	0
6 Iron plate, and 8 Sheet Iron Dumb Stoves, with Pipes, &c.	50	0	0
Straight Waistcoats, &c. &c. &c.	25	0	0
	£210	0	0

Respectfully submitted.

GEO. MATTHEW,  
*Principal Overseer and Superintendent.*

*Record of Lunatics in the temporary Lunatic Asylum in the City and Parish of Saint John, from 1st January to 31st December (inclusive), 1837.*

[IN WARD FROM LAST YEAR.]

1. Nelson Hicks, aged 26; place of nativity—State of New York, United States; disease—idiocy; admitted 14th November, 1835; died 21st June, 1837.

## APPENDIX.

2. Mary Harney, aged 25 ; County Galway ; disease—idiocy ; admitted 14th November, 1835 ; discharged 27th May, 1837, re-admitted 24th June ; remaining incurable.
  3. Jeremiah O'Neil, aged 30 ; County Cork ; disease—furiously mad ; admitted 17th November, 1837 ; died 24th August, 1837.
  4. John Garden, aged 26 ; City of Saint John, Carleton ; disease—idiocy ; admitted 25th November, 1835 ; remaining incurable.
  5. William Oran, aged 48 ; City Saint John ; disease—furiously mad ; admitted 1st December, 1835 ; discharged in March, re-admitted 3d April, 1837 ; died 1st September, 1837.
  6. John Reed, aged 48 ; County Derry ; disease—idiocy ; admitted 1st December, 1835 ; remaining incurable.
  7. William Austen, aged 50 ; Cove of Cork ; disease epilepsy ; admitted 6th February, 1836 ; remaining incurable.
  8. William Ferguson, aged 20 ; London ; disease—furiously mad ; admitted 26th March 1836 ; remaining incurable.
  9. Elizabeth Warnock, aged 19 ; County Donegal ; disease—furiously mad ; admitted 30th April, 1836 ; discharged cured 25th April, 1837.
  10. Jane Thorpe, aged 27 ; Saint John ; disease—idiocy ; admitted 1st July, 1836 ; remaining incurable.
  11. William Ritchie, aged 26 ; County Donegal ; disease—epilepsy ; admitted 6th July ; remaining incurable.
  12. James Watson, aged 40 ; Glasgow ; disease—idiocy ; admitted 10th October, 1836 ; escaped 20th January, 1837, re-admitted 26th October ; escaped again 15th November, 1837.
  13. Mary Crawley, aged 25 ; County Cork ; disease—ordinary mental derangement ; admitted 9th November, 1836 ; discharged 28th April, 1837, re-admitted 18th May ; discharged cured 8th July, 1837.
  14. Joanna Cuiswick, aged 25 ; County Tipperary ; disease—furiously mad ; admitted 7th December, 1836 ; discharged cured 5th May, 1837.
- [ADMITTED IN 1837.]
15. James Kayoung, aged 40 ; place of nativity unknown ; disease—delirium tremens ; admitted 2d January, 1837 ; discharged on 6th, re-admitted again, and died on 15th January, 1837.
  16. Mary White, aged 52 ; Saint Andrews, County Charlotte ; disease—delirium tremens ; admitted 11th January, 1837 ; discharged cured 25th September, 1837.
  17. Cornelius Murphy, aged 45 ; County Cork ; disease—delirium tremens ; admitted 29th January, 1837 ; discharged cured 28th February, 1837.
  18. Robert M'Beath, aged 43 ; County Donegal ; disease—delirium tremens ; admitted 8th February, 1837 ; discharged 29th April, 1837, re-admitted 3d May ; discharged cured 12th January, 1837.
  19. John Landers, aged 40 ; Ireland ; disease—ordinary stupid insanity ; admitted 7th March, 1837 ; died 5th April, 1837.
  20. Peter Hislop, aged 50 ; Dumfries, Scotland ; disease—ordinary insanity ; admitted 15th March, 1837 ; remaining much improved.
  21. John Johnston, aged 50 ; Cumberland, England ; disease—ordinary insanity ; admitted 5th April, 1837 ; discharged cured 28th June, 1837.
  22. Thomas York (colored), aged 21 ; Saint John ; disease—idiocy ; admitted 7th April, 1837 ; remaining incurable.
  23. David Adams, aged 37 ; County Antrim ; disease—ordinary insanity ; admitted 5th May, 1837 ; discharged cured 14th July, 1837.
  24. Hugh Campbell, aged 45 ; County Tyrone ; disease—delirium tremens ; admitted 22d May, 1837 ; discharged 7th September, 1837, re-admitted 14th November ; remaining improved.
  25. Ann Garvin, aged 31 ; Connaught ; disease—ordinary insanity ; admitted 31st May ; escaped 23d October, 1837, re-admitted 1st December ; remaining improved.
  26. Daniel M'Laughlan, aged 25 ; County Derry ; disease—ordinary insanity ; admitted 8th June, 1837 ; died 2d August, 1837.

## APPENDIX.

27. James Hussey, aged 21 ; County Kerry ; disease—ordinary insanity ; admitted 8th July, 1837 ; remaining improved.
28. Ellen Neal, aged 23 ; County Kerry ; disease—ordinary insanity ; admitted 8th July, 1837 ; discharged cured 4th August, 1837.
29. Esther Porter, aged 30 ; County Donegal ; disease—furiously mad ; admitted 13th July, 1837 ; died 26th August, 1837.
30. Curly Sullivan, aged 23 ; County Cork ; disease—ordinary insanity ; admitted 17th July, 1837 ; died 28th November, 1837.
31. John Long, aged 31 ; County Cork ; disease—furiously mad ; admitted 18th July, 1837 ; died 27th July, 1837.
32. Maria White (colored), aged 24 ; Granville, Nova Scotia ; disease—ordinary insanity ; admitted 26th July, 1837 ; discharged cured 10th August, 1837.
33. Mary Lieghy, aged 23 ; County Kerry ; disease—delirium tremens ; admitted 28th July, 1837 ; discharged cured 18th August, 1837.
34. George Mullen, aged 19 ; County Tyrone ; disease—ordinary insanity ; admitted 31st July, 1837 ; discharged improved 4th December, 1837.
35. John O'Neil, aged 27 ; County Tyrone ; disease—delirium tremens ; admitted 14th August, 1837 ; died 29th August, 1837.
36. Daniel Holmes, aged 14 ; County Donegal ; an idiot ; admitted 19th August, 1837 ; remaining unimproved.
37. Peter Hopper, aged 40 ; Westmorland ; disease—ordinary insanity ; admitted 20th August, 1837 ; remaining unimproved.
38. Mary Cleary, aged 50 ; County Cork ; disease—delirium tremens ; admitted 22d August, 1837 ; died 29th August, 1837.
39. Michael Mullen, aged 11 ; County Derry ; disease—ordinary insanity ; admitted 24th August, 1837 ; discharged cured 18th September, 1837.
40. Crazy Molly (ab.), aged 50 ; place of nativity unknown ; disease idiocy ; admitted 12th September, 1837 ; remaining unimproved.
41. Charles Seymore (colored), aged 28 ; Carleton, Saint John ; disease—ordinary insanity ; admitted 14th September, 1837 ; died 24th October, 1837.
42. William Thompson, aged 28 ; County Donegal ; disease—delirium tremens ; admitted 20th October, 1837 ; died 23d October, 1837.
43. Mary Welch, aged 32 ; County Cork ; disease—delirium tremens ; admitted 22d October, 1837 ; discharged cured 15th November, 1837.
44. Timothy Carty, aged 35 ; County Cork ; disease—ordinary insanity ; admitted 24th October, 1837 ; died 4th November, 1837.
45. John Carson, aged 38 ; County Fermanagh ; disease—ordinary insanity ; admitted 26th October, 1837 ; remaining much improved.
46. Thomas Osborne, aged 40 ; County Waterford ; disease—delirium tremens ; admitted 4th November, 1837 ; died 6th November, 1837.
47. Cicely Duffy, aged 25 ; County Donegal ; disease—ordinary insanity ; admitted 6th November, 1837 ; discharged to husband 11th November, 1837.
48. Mary M'Carty, aged 24 ; County Galway ; disease—ordinary insanity ; admitted 8th November, 1837 ; remaining unimproved.
49. Mary M'Carty, aged 19 ; Dublin ; disease—furiously mad ; admitted 14th November, 1837 ; discharged cured 20th December, 1837.
50. Bridget M'Vey, aged 19 ; County Derry ; disease—ordinary insanity ; admitted 14th November, 1837 ; remaining unimproved.
51. Lucinda Fitzimmons, aged 21 ; County Tyrone ; disease—delirium tremens ; admitted 25th November, 1837 ; discharged cured 1st December, 1837.
52. Daniel Gillespie, aged 38 ; County Donegal ; disease—delirium tremens ; admitted 28th November, 1837 ; remaining much improved.
53. Matilda Winters, aged 35 ; County Donegal ; disease—ordinary insanity ; admitted 22d December ; remaining much improved.
54. Thomas M'Graw, aged 33 ; County Fermanagh ; disease—delirium tremens ; admitted 28th December, 1837 ; remaining unimproved.

GEO. MATTHEW,  
*Principal Overseer and Superintendent.*

ish Saint John, 30th December, 1837.

*General*



## APPENDIX.

*General Account for expenses Lunatics in the Temporary Asylum, in the City and Parish of Saint John, from the 1st January to 31st December (inclusive), 1837.*

Amount principal Overseer and Superintendent Matthew's account of expenditure, for support and safe keeping of Lunatics, including the cost of improvements and additional buildings and furnishings required by the increase in number of patients, from 1st January to 31st December, 1837; and after deducting therefrom the sum £25 15, received in part of the expenses of two of the patients entertained therein, as per preceding statement,	£1,056 2 3
Amount agreed to be paid to Dr. G. P. Peters, for his professional attendance and Medicines for Lunatics, during the year ending 31st instant,	50 0 0
Amount claimed by William Nisbet, House Steward, and considered to be well earned, for services performed by him for Lunatics during the past year,	25 0 0
Amount claimed by Geo. Matthew for overseeing and directing all matters concerning the Institution for the year ending at this time,	50 0 0
Total,	<u>£1,181 2 3</u>

GEO. MATTHEW.

*City and Parish Saint John, 30th December, 1837.*

No. 12.

# RETURN OF LANDS

GRANTED OR RESERVED FOR

## CHURCHES AND SCHOOLS IN NEW BRUNSWICK.

**R**ETURN to an Address from the House of Assembly, shewing what lots, tracts or parcels of land are reserved for Churches and Schools in this Province, specifying in what County the said lots are respectively situated, with the dates of the said Grants, or Reservations, and the number of acres in each.

*1st.—Lands granted for the use of the Established Church of England.*

### COUNTY OF YORK.

	Year.	Acres.	Acres.
Parish Fredericton, 3 blocks Town Plat of Fredericton,	1810	10½	
“ “ River Saint John, Phillis' Creek,	1799	500	
“ “ 58 Town Lots in Fredericton,	1800	19	
“ Fredericton and Kingsclear, N. W. branch of Rusha- gonis Stream,	1835	665	
“ Prince William, River Saint John,	1835	506	
“ Saint Mary's, “ “	1836	364	
“ “ “ River Nashwaak,	1837	686	
“ Dumfries, River Saint John,	1836	228	
“ Queensbury, “ “	1836	500	
“ “ “ “ Nos. 76 and 104	1836	434	
“ Kingsclear, Hanwell Road,	1837	330	
			4,242½

### COUNTY OF CARLETON.

Parish Woodstock, River Saint John,	1831	1,476	
“ Wicklow, Green Settlement,	1837	55	
“ Andover, River Saint John, West side,	1837	220	
“ Kent, “ “ East side,	1837	121	
“ Perth, “ “	1837	110	
“ “ “ “	1837	400	
“ “ “ “	1837	500	
			2,882

### COUNTY OF GLOUCESTER.

Parish Bathurst, River Tattigouche, and 2 Pasture Lots, Bathurst,	1836	270	
“ “ Lot No. 18, Town Plat, Bathurst,	1836	1	
“ Addington, near Old Church Point,	1837	220	
“ New Bandon, Grand Ance, back Settlement,	1837	220	
“ Saumarez, Pockmouche Lagoon,	1837	258	
“ “ Big Tracadu River,	1837	620	
“ “ Tracadu Lagoon,	1837	38	
			1,627

*Carried forward,*

hh

8,751½

# APPENDIX.

		Year.	Acres.	Acres.
		<i>Brought forward,</i>		8,751½
COUNTY OF NORTHUMBERLAND.				
Parish	Chatham, Barnaby's Island,	1824	70	
"	" Bay du Vents River,	1837	550	
"	" " "	1837	475	
"	Northesk, North West Branch Miramichi River,	1837	300	
"	" " " "	1837	214	
"	Alnwick, Bartibog River,	1837	440	
"	" Tabusintac River,	1837	308	
"	Blissfield, South West branch Miramichi River,	1837	570	
"	Nelson, " " "	1837	385	
			—	3,312
COUNTY OF KENT.				
Parish	Weldford, Coal Branch and Island,	1837	258	
"	Richibucto, Richibucto River,	1837	462	
			—	720
COUNTY OF WESTMORLAND.				
Parish	Shediac, near Shediac Harbour,	1828	760	
"	Sackville, Grindstone Island,	1818	45	
"	Shediac, Kouchibouguac River,	1837	220	
"	Salisbury, Butternut Ridge Road,	1837	450	
"	" Pollet River,	1837	340	
"	" Coverdale River,	1837	240	
"	Coverdale, " "	1837	264	
"	" West side Peticoudiac River,	1837	524	
"	Moncton, North side, " "	1837	478	
"	" North Mountain Settlement,	1837	330	
"	Hopewell, near Shepody Mountain,	1837	550	
"	Botsford, Bay of Verte, Cape Saint Lament,	1837	560	
			—	4,831
KING'S COUNTY.				
Parish	Westfield, River Saint John, second tier,	1800	650	
"	Kingston, Kennebecasis River,	1807	665	
"	Greenwich, River Saint John, New Oak Point,	1833	362	
"	Hampton, Hammond River,	1834	950	
"	Sussex, Smith's Creek and Salmon River,	1834	810	
"	Springfield, Lots 12 and 13, near Irish Settlement,	1836	500	
"	Norton, Kennebecasis River,	1837	865	
"	Springfield, Pascobac River,	1837	432	
"	Sussex, Butternut Ridge, Trout Creek and Studholm's Stream,	1837	783	
"	" Butternut Ridge Road,	1837	400	
"	" Salmon River,	1833	1,134	
			—	7,551
QUEEN'S COUNTY.				
Parish	Gagetown, adjoining the Town Plat,	1798	286	
"	Canning, Grand Lake,	1835	215	
"	Hampstead, Gagetown Road,	1836	200	
"	Waterborough, Cumberland Bay, and Wiggins Cove,	1836	600	
"	Wickham, Washademoac Lake,	1837	440	
"	Brunswick, Washademoac River,	1837	176	
			—	1,917
COUNTY OF SUNBURY.				
Parish	Maugerville, Lot No. 90, River Saint John,	1793	494	
"	Burton, near mouth of the Ormocto, and South Branch,	1835	800—	1,294
<i>Carried forward,</i>				28,376½

# APPENDIX.

	Year.	Acres.	Acres.
<i>Brought forward,</i>			28,376½
COUNTY OF SAINT JOHN.			
Parish Saint John, Lake Lomond, Lot No. 1.	1817	500	
“ “ “ “ Lot No. 2,	1817	500	
“ Carleton, Second Lake Lomond,	1833	528	
“ Lancaster, near Manawagonish Cove,	1786	400	
		—	1,928
COUNTY OF CHARLOTTE.			
Parish Saint Andrews, in and adjoining the Town Plat,	1801	41½	
“ “ “ 4 Town Lots as a Burying Ground,	1802	1½	
“ Saint Stephen, River Saint Croix,	1802	195	
“ Saint Andrews, 10 acres in exchange for 7 acres given up for Military purposes,	1815		
“ “ “ Town Plat of Saint Andrews,	1822	6½	
“ Saint Stephen, in the Marks Grant,	1828	500	
“ “ “ Near Oak Bay,	1828	57	
“ “ “ Fishing Falls &c., River Saint Croix,	1830	82	
“ Saint David, near Oak Bay,	1830	358	
“ Saint George, L'Etang Harbour,	1831	455	
“ “ “ “ “	1831	455	
“ Grand Manan, Grand Harbour,	1833	584	
“ “ First division, No. 9,	1834	480	
“ Saint James, Bassford Ridge.	1836	370	
“ “ “ “ “	1836	270	
“ Grand Manan, Broad, Money, Dark and Whale Coves,	1837	825	
“ Saint Andrews, Chamcook, part of this to support a Public School,	1788	1,460	
		—	6,140½
			36,445½
<i>2d.—Lands reserved for the Established Church of England.</i>			
COUNTY OF GLOUCESTER.			
Parish Addington, 4 Town Lots in Dalhousie,	Year. 1831	Acres. 2	Acres.
COUNTY OF CHARLOTTE.			
Parish Saint Andrews, part of Saint Andrews Island, under a license of occupation, subject to revocation, if required for Her Majesty's service, license dated	1821	71½	
		—	73½
<i>3d.—Lands granted for the use of the Established Church of Scotland.</i>			
COUNTY OF SAINT JOHN.			
“ Saint John, North side Quaco Road, St. Andrews Church,	Year. 1820	Acres. 500	Acres.
“ “ “ Upper Salmon River, St. Stephen's Church,	1837	500	
“ “ “ “ “ St. Andrews Church,	1837	500	
COUNTY OF YORK.			
Parish Fredericton, River Saint John, Rapid de Femme,	1836	500	
“ “ River Tobique, mouth of the Otelloch,	1837	1,000—3,000	
COUNTY OF NORTHUMBERLAND.			
Parish Alnwick, Tabucintac River,	1836	572	
“ Newcastle, Beobear's Point, Burying Ground,	1836	4	
“ “ Renou's River,	1837	500	
“ Chatham, “ “	1837	500	
“ Glenelg, Black River, 2d Tier,	1838	500—2,076	
COUNTY OF KENT.			
Parish Richibucto, South Branch Saint Nicholas River and Point,	1837	500	
		—	
<i>Carried forward,</i>		500	5,076

# APPENDIX.

	<i>Brought forward,</i>	Year.	Acres.	Acres.
			500	5,076
COUNTY OF CARLETON				
Parish Woodstock, Richmond Settlement,		1838	500	
COUNTY OF CHARLOTTE.				
" Saint James, River Saint Croix,		1838	500	
" Saint Andrews, Canoose River, at Scots Rips,		1838	500	
COUNTY OF GLOUCESTER.				
" Addington, at the mouth of the Upsalquitch River,		1838	500	
" Bathurst, west side Miramichi Road,		1838	500	
			—	3,000
				8,076

No Lands reserved for the Church of Scotland.

## 4th—Lands granted for the use of the Church of Rome.

COUNTY OF GLOUCESTER.				
Parish New Bandon, Grand Ance Settlement,		Year.	Acres.	Acres.
		1837	100	
COUNTY OF KENT.				
Parish Weldford, Saint Nicholas Point, Town Lots,		1837	12	
			—	112

No Lands reserved for the Church of Rome.

## SCHEDULE OF CHURCH LANDS.

Church of England, granted,	36,445½ acres.
Do. do. reserved,	73½ "
Church of Scotland, granted,	8,076 "
Church of Rome, granted,	112 "
Total,	44,706½ acres.

THOMAS BAILLIE,

Commissioner Crown Lands and Surveyor General.

Crown Land Office, January 31st, 1838.

## 5th.—Lands granted for Educational purposes.

COUNTY OF CHARLOTTE.				
	Year.	Acres.	Acres.	
Parish Saint Andrews, two Town blocks in Saint Andrews,	1821	47	} Madras School.	
“ “ “ Public Landing,	1821			
“ “ “ An undivided part of the Chamcook grant to be applied to the support of a Public School (included in Church Return),		—		47
COUNTY OF GLOUCESTER.				
Parish Bathurst, 1 Town Lot in Bathurst, Grammar School,	1838	0½		0½
COUNTY OF SAINT JOHN.				
“ Saint John, King’s Ward, in the City of Saint John,	1821	Town lot,	Madras Sch.	
“ Lancaster, Manawagonish Cove,	1786	270		
“ Portland, Black Refugee tract,	1837	50		
		—		320
KING’S COUNTY.				
Parish Kingston, Kingston Cove,	1807	200		
“ Hampton, Hammond River, northside, Madras Sch.	1821	400		
“ “ “ south side, “ “	1821	520		
		—		—
<i>Carried forward,</i>		1,120		367½

# APPENDIX.

		Year.	Acres.	Acres.
	<i>Brought forward,</i>		1,120	367½
Parish Sussex, Kennebecasis River, south side,	Madras School,	1821	200	
" " Ward's Creek,	" "	1821	600	
" " Smith's Creek,	" "	1821	400	
" " Studholm's Mill Stream,	" "	1821	327	
			—	2,647
QUEEN'S COUNTY.				
Parish Gagetown, in rear of the Town Plat,	Madras School,	1824,	236	
COUNTY OF SUNBURY.				
Parish Sheffield, River Saint John,	Madras School,	1821	500	
			—	736
COUNTY OF YORK.				
Parish Fredericton, 18 Town Lots in Fredericton,	King's	1816	4½	
" In rear of the Town Plat,	College,	1800	5,950	
" Fredericton, Maryland Road,	Madras School,	1821	425	
			—	6,379½
COUNTY OF NORTHUMBERLAND.				
Parish Blissfield, S. W. Miramichi River,		1836	200	
" Glenelg, Richibucto Road,		1837	100	
			—	300
COUNTY OF WESTMORLAND.				
Parish Shediac, Shediac Harbour,	Madras School,	1821	500	
" Sackville, old Sackville grant,		1772	500	
			—	1,000
				11,430

## 6th.—Lands reserved for Educational purposes.

		Year.	Acres.	Acres.
COUNTY OF CHARLOTTE.				
Parish Saint James, Moannes Stream, No. 14,		1784	110	
" Grand Manan, lot 2, second division near Seal Cove,		1810	200	
" Saint Stephen, Ridge Road, No. 74,		1784	50	
" Saint Patrick, mouth of the Digedeguash, Lot A,		1822	100	
			—	460
COUNTY OF SAINT JOHN.				
Parish Portland, second Lake Lomond, Lot 12, east side,		1817	200	
			—	200
KING'S COUNTY.				
Parish Springfield, Pascobac Stream, No. 12,		1786	150	
" Norton, Kennebecasis River, No. 19,		1786	550	
" Hampton, Hammond River, Madras School,		1825	100	
" Upham, " " No. 14, both sides,		1812	200	
" Sussex, Butternut Ridge, No. 9,		1818	100	
			—	1,100
QUEEN'S COUNTY.				
Parish Hampstead, Gagetown Road, Lot A,		1830	20	
			—	20
COUNTY OF SUNBURY.				
Parish Burton, Oromocto River, second tier,		1815	120	
" " Nerepis Road, west side, No. 58,		1831	200	
" Blissville, Oromocto River, east side, No. 3,		1787	138	
			—	458
COUNTY OF YORK.				
Parish Kingsclear, Hanwell Road, No. 10, west side,		1825	220	
			—	220
				2,458

## APPENDIX.

	Year.	Acres.	Acres.
<i>Brought forward,</i>			2,458
<b>COUNTY OF WESTMORLAND.</b>			
Parish Salisbury, North River, No. 5,	1812	155	
“ Shediak, Kouchibouguac River, Lot A.	1823	200	
		—	355
<b>COUNTY OF GLOUCESTER.</b>			
Parish Addington, Town Lot, No. 88, in Dalhousie,	1831	0½	0½
			<hr/> 2,813½

THOMAS BAILLIE,

Commissioner Crown Lands and Surveyor General.

*Crown Land Office, January 31st, 1838.*

## SCHEDULE OF INDIAN RESERVES IN NEW BRUNSWICK.

*Schedule of Lands reserved for the use of the Indians in this Province, where situated, the time such reserves were made, the nature of the reserves, and the particular Tribes of Indians for whose benefit such reserves were respectively made.*

### COUNTY OF NORTHUMBERLAND.

10,000 acres on both sides of the Little South West, at its confluence with the North West Miramichi, 13th August, 1783; 3,033 acres on the north side of the North West Miramichi, commencing opposite the lower end of Beobear's point, and running up; 10th January, 1789; for John Julian and the Miramichi Tribe of Indians.

8,700 acres on the north east side of the North West Miramichi, opposite the Sevogle Streams; 750 acres on the north side of the North West Miramichi, opposite the Little South West; 5th March, 1805; for John Julian and the Micmac Tribe of Indians.

240 acres, Burnt Church Point, Miramichi Bay; 1,400 acres on the north side Burnt Church, above Point au Moreau, Miramichi Bay; 9,035 acres on the Tabusintac River, from Cowaseget's Creek, up five miles, and back from each side 1½ miles, including 10 acres at M'Gra's Point, and 25 acres at Ferry Point; 18th February, 1802; for Indian natives inhabiting the Tabusintac District.

### COUNTY OF KENT.

4,600 acres on the north side of the Richibucto River, from William Harley's grant to Bass River; 9th September, 1805, modified the 25th February, 1824; for Richibucto Indians.

3,500 acres on the north side of the Shebuctouche River, from Dominie Robicheau's grant up to the upper line of Lot No. 25, above Mill Creek; 1st November, 1810; for Shebuctouche Indians.

### COUNTY OF CARLETON.

16,000 acres on the east side of the River Saint John, from the Tobique rocks to opposite the mouth of the Arestook, and embracing both sides of the Tobique for about three miles up; 4th September, 1801; for Neville Bernard, and his Tribe of Melicete Indians.

### COUNTY OF GLOUCESTER.

2,600 acres on the south side of the Pockmouche River, from Waganchitz Brook, up three miles; surveyed in August, 1811, under an order in Council, of May, 1804; for John B. Pomainville, and 16 others, Indians of Pockmouche River.

1,000 acres on the north west side of the Nepisiquit River, between the Papibneau and the Strong Waters; occupied by the Nepisiquit Indians of the Micmac Tribe, and claimed under orders from Government, but no record appears.

400 acres on the north side of Eel River, and south of the grant to R. Furguson; occupied by the Restigouche Indians, but no record appears.

*Nature of the Reserves.*—To occupy and possess during pleasure.

THOMAS BAILLIE,

Commissioner Crown Lands and Surveyor General.

*Department of Crown Lands and Forests, Fredericton, January 31st, 1838.*

**No. 13.**  
—  
**REPORT**  
ON  
**DREDGING MACHINE.**

---

*St. John, 1st February, 1838.*

MAY IT PLEASE YOUR EXCELLENCY,

**T**HE undersigned, Commissioners for providing a Provincial Dredging Machine, have the honor of reporting—

That they have attended to the duty assigned them, and that the required Machine is now in progress. That, as the first step, they employed a competent Civil Engineer, who after much inquiry and deliberation, furnished them with a complete set of plans for a Dredging Machine, on the latest and most improved principles; that such Engineer recommended your Commissioners to employ a Steam Engine for working the Machine, as being in every respect superior and more economical than horse power; which recommendation they adopted.

That they have contracted for a Dredging Machine and high pressure Steam Engine, of ten horse power, with a metallic piston, and all the wood frame work necessary for Engine and Machine, agreeably to the plans, to be fitted up on board the Boat in complete working order, for nine hundred and fifteen pounds currency.

That the Boat is proposed to be fifty feet in length, twenty feet in breadth, and six feet in depth; for which your Commissioners have not yet contracted. That in addition to the Boat, two large scows will be required to receive the mud and gravel raised by the Machine, in order to its removal. That from the inquiries your Commissioners have made, they are of opinion that a further appropriation of six hundred pounds will be required to provide, fit and furnish the Machine, Engine, Boat, Scows, and all the necessary apparatus.

Your Commissioners expect that the Machine will be ready for operation in June next, or so soon as the River Saint John attains its usual summer level, and they respectfully recommend that in the meantime some regulations for the care, management and working of the Machine should be established.

All which is respectfully submitted by

Your Excellency's very obedient Servants,

THOMAS BARLOW, }  
M. H. PERLEY, } Commissioners.

His Excellency Major General Sir John Harvey, Lieutenant Governor, &c. &c. &c.



No. 14.

## REPORT

FROM

### COMMISSIONERS FOR RUNNING LINE BETWEEN THIS PROVINCE AND NOVA SCOTIA.

*To His Excellency Major General Sir John Harvey, K. C. H. and C. B., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.*

MAY IT PLEASE YOUR EXCELLENCY,

**W**E, the undersigned, beg leave to report to Your Excellency, that in pursuance of resolutions of the Legislative Council and Assembly, passed in the Session of 1836, His Excellency Sir Archibald Campbell, the then Lieutenant Governor of this Province, appointed us Commissioners to meet and act with such Commissioners as might be appointed by the Government of Nova Scotia, in order to run out and ascertain the line of division between this Province and the Province of Nova Scotia.

This line has never yet been ascertained or run, in consequence of doubts which have existed as to the true source of the Musquat or Missiquash River. In the Commission to Governor Carleton, which first established and defined the limits of this Province, distinct from Nova Scotia, the bounds of this Province are described as follows:—

“Bounded on the Westward by the mouth of the River Saint Croix, by the said River to its source, and by a line drawn due North, from thence to the Southern boundary of our Province of Quebec; to the Northward, by the said boundary as far as the Western extremity of the Bay des Chaleurs; to the Eastward, by the said Bay and the Gulph of Saint Lawrence, to the Bay called Bay Verte; to the South, by a line in the centre of the Bay of Fundy from the River Saint Croix, aforesaid, to the mouth of the Musquat River, by the said River to its source, and from thence by a due East line across the Isthmus into the Bay Verte, to join the Eastern line above described, including all Islands, &c.” From this description it may readily be perceived that if the source of the Missiquash could be ascertained and agreed upon, no difficulty or doubt could arise as to the true line; but it unfortunately happens that much difference of opinion exists as to where the true source of this River is to be found. Following up this River from the Bay of Fundy, it is clearly defined until it reaches a point near Black Island, (a short distance above the great road passing to Halifax,) when it is lost in a large marshy bog or morass, interspersed with small lakes. It might be contended that where the River is thus lost, and can be no farther clearly traced, is the true source of the Missiquash, from which a line due east to the Bay Verte should be run as the boundary between the Provinces.

If however it be decided to proceed over and above this morass and to trace the various head streams which flow therein, in order to ascertain which is the principal or parent stream, it will be found that there are several streams diverging from different points and nearly of the same volume.

The difficulty thus occurs, which of these head streams should be adopted as the source of the Missiquash. With a view to determine if possible this question, and in pursuance of the duties assigned to us, we proposed to the Commissioners appointed on  
behalf

## APPENDIX.

behalf of the Province of Nova Scotia, that a competent surveyor should be agreed upon, or that the Commissioners for either Province should each appoint a Surveyor to proceed with a survey of the Missiquash River, from its mouth to the place where the great road crosses the same, and that when such surveys are completed a meeting of the Commissioners for both Provinces should take place at a time and place named by us, for the purpose of personally examining and ascertaining the true source of the River.

The Commissioners have, on the part of Nova Scotia, declined to accede to our proposal for a personal examination, but in lieu thereof proposed that Surveyors should be appointed on both sides to make an exploration, survey and plan of the Missiquash to its source and thence to run the line to Bay Verte. To this proposition we did not feel ourselves at liberty to accede, especially as it appeared to us that the only object of our joint appointment was to examine and ascertain, if possible, the point where the true source of the stream was to be found; and therefore we did not consider it proper to delegate to Surveyors the important duty of deciding the whole question in doubt or dispute, for it was obvious if they were entrusted to explore the Missiquash to its source, and thence run a line to the Bay Verte, as proposed by the Nova Scotia Commissioners, that the Surveyors, if they agreed in opinion, would in fact have decided the whole question; or in case they could not agree, (not an improbable event,) and each Surveyor decided for himself, there would be two separate lines run, apparently by authority, thereby creating much greater difficulty and confusion with regard to the true line than already exists.

With a view however to obtain all the information in our power, we proceeded with a full exploration and survey of the Missiquash River, and at the points where doubts existed as to the true source we personally examined the principal lakes and streams from which the River is supplied. And although we have thus satisfied ourselves that there are marks sufficiently distinctive to point out and fix the true source of the River, yet, as the Commissioners of Nova Scotia had declined attending, we considered it desirable not to proceed in running out the line from thence to Bay Verte, until we shall have submitted the information thus obtained to the Commissioners on the part of Nova Scotia as proposed to them whenever they may consent to meet us. And we indulge a confident hope that when the Commissioners on the part of Nova Scotia shall have made themselves acquainted with our survey and examination, that this line may yet be agreed upon and run out to the satisfaction of all parties.

We beg leave to refer Your Excellency to the accompanying copies of communications had between us and the Nova Scotia Commissioners on this subject, together with the plan and a statement of the expenses incurred in making the necessary surveys and explorations.

E. BOTSFORD.  
EDWARD B. CHANDLER.

*Fredericton, January, 1838.*

*Dorchester, September 7, 1837.*

GENTLEMEN—The Commissioners on the part of the Province of New Brunswick, appointed to ascertain and run out the divisional line between the two Provinces, propose that a Surveyor to be agreed upon by the Commissioners on both sides, or in case of their disagreement, each party to name their Surveyor, who shall proceed at once to make a Survey of the Missiquash River, as far as the great road crossing the same, and after receiving their Report, that a meeting of the Commissioners on behalf of both Provinces should take place on Tuesday, the 19th instant, at 10 o'clock in the forenoon, at Mount Watley, for the purpose of proceeding in *person*, to ascertain the source of the Missiquash, when further proceedings can be agreed upon.

We have the honor to be, Gentlemen,

Your obedient servants,

E. BOTSFORD,  
E. B. CHANDLER.

The Honorable the Commissioners on the part of Nova Scotia, &c. &c. &c.

kk

*Dorchester,*

## APPENDIX.

*Dorchester, September 7, 1837.*

GENTLEMEN—In reply to your communication of this day's date, we have the honor to state that not perceiving your proposition will lead to a definite course of procedure, we beg to repeat our own, viz: That each of the Commissioners appoint a person in whom they have confidence, to make preliminary surveys, plans, explorations, &c., of the Missiquash to its source, and thence to the Bay Verte, and report their proceedings to the respective Commissioners.

The Commissioners for Nova Scotia hope those of New Brunswick will accede to this course, especially as the proceedings of the persons employed will be binding upon neither of them, and if it shall afterwards appear expedient for the Commissioners to give their personal superintendence to further enquiries and explorations they can do so. Mr. Robie having agreed with the subscribers before he left, upon the course of procedure proposed by us, we are unwilling to adopt another without his concurrence.

Should you continue to regard our suggestion as inadvisable, as we shall direct a confidential surveyor to make a survey, &c., as a foundation for our further proceedings, we suggest that you adopt a similar course.

We have the honor to be, Gentlemen,

Your obedient servants,

ALEX. STEWART.  
D. MACFARLANE.

Honorable E. Botsford, E. B. Chandler.

*Dorchester, September 8, 1837.*

GENTLEMEN—We have the honor to acknowledge the receipt of your communication containing a proposition on your part, and at the same time declining to accede to the one made by us.

The Commissioners for New Brunswick regret that in the performance of the duty with which they are entrusted, they cannot agree to the proposition thus submitted to their consideration. The principal objection to its adoption is that it delegates to other persons the power to decide the most difficult and important point in the whole question, by the *source* of the Missiquash; and it is obvious that the running of any line before that point is mutually agreed upon by the Commissioners of both Provinces, would not only be a useless expense, but tend to throw greater difficulties in the way of its final adjustment.

Although we have no particular objection to so much of your proposal as that "a survey and exploration of the Missiquash River and its different branches, shall be made by persons to be appointed on both sides," yet we conceive it to be advisable that the Commissioners should attend in person, for if they should agree to fix upon that point of the Missiquash, where it branches into separate streams, as its source it would prevent the expense and trouble of any further exploration, particularly as from the nature of the soil through which those streams pass, such exploration would be attended with great difficulty.

For these reasons we continue of the opinion that the Commissioners should attend in person, and hope to have the pleasure of meeting you at the time and place referred to in our former communication where we shall attend.

We have the honor to be, Gentlemen,

Your obedient servants,

E. BOTSFORD.  
E. B. CHANDLER.

A. Stewart, D. Macfarlane, Esquire.

*Dorchester, September, 9 1837.*

GENTLEMEN—Mr. M'Farlane having returned to Nova Scotia, I have to reply to your note of the 8th inst. without his assistance.

We proposed not as you apprehend "to delegate to others" the *decision* of any thing, the decision of the question not being entrusted to ourselves, but to employ others of more local knowledge and scientific acquirements than we possess (neither of the Nova Scotia Commissioners having more than a general knowledge of the principles of surveying) to obtain and submit for our consideration, information which  
would

## APPENDIX.

would probably enable us to concur in a satisfactory report. If the actual exploration and perambulation of the whole line by the Commissioners should thereafter appear expedient or necessary, the Nova Scotia Commissioners would not shrink from the difficulty, great as, from the nature of the soil, you represent to be of doing that duty; but if as it would seem you regard this as a *sine qua non*, it is obviously equally incumbent upon our absent coadjutors as upon ourselves. To Mr. Robie therefore I will take the earliest opportunity of communicating your opinion, and we shall hereafter have the honor of addressing you further thereupon.

I have the honor to be, Gentlemen,

Your obedient servant,

A. STEWART.

Honorable E. Botsford, E. W. Chandler.

*Sackville, September 11, 1837.*

SIR—In reply to your note of the 9th inst. we beg to suggest, as you do not deem it expedient to agree to the first proposition made by us without further consultation with Mr. Robie, which would postpone to an inconvenient season of the year the desired exploration, that each party should take such preliminary steps as they may think advisable in order to obtain the necessary information for an adjustment of the question. With this view we shall proceed in our original intention of examining in person the several sources of the Missiquash River, and give such orders for their survey as may be deemed necessary, after which we shall be happy to meet the Commissioners for Nova Scotia whenever they are prepared, when the plans and reports of the surveyors can be laid before us, and such further proceedings had as may be determined upon.

We have the honor to be, Sir, yours, &c.

E. BOTSFORD,

E. B. CHANDLER.

A. Stewart, Esquire, &c. &c.

No. 15.

## CUSTOM HOUSE RETURNS

### PORT OF SAINT ANDREWS.

**A**N account of all duties collected at this Port under Acts of the Imperial Parliament, subsequent and prior to 18 Geo. 3, during the year ending 5th January, 1838.

Amounts collected subsequent to 18 G. 3.			
Quarter ending 5th April,	-	-	£80 2 10
Ditto 5th July,	-	-	77 4 8
Ditto 10th October,	-	-	122 15 10
Ditto 5th January,	-	-	139 13 8
			£419 17 0
Deduct amount of duty on 3 puncheons rum imported in the Adriana, 4th April, and returned by Honorable Board's order,			8 12 6
Total amount collected subsequent,			£411 4 6
Amount collected under Acts prior to 18 G. 3,			104 6 5
Total amount, Sterling, collected at Port of Saint Andrews,			£515 10 11
			ALEX. GRANT, <i>Collector</i> .
			CHAS. V. FORSTER, <i>Controller</i> .

*Custom House, Saint Andrews.*

Abstract account of Imports and Exports from to and Saint Andrews, for the year ending 5th January, 1838.

IMPORTS.			
From United Kingdom,	-	-	£8,387 0 0
British Colonies, viz. North America,	£9,176	0 0	
West Indies,	11,258	0 0	
			20,434 0 0
United States,	-	-	7,746 0 0
Foreign States,	-	-	348 0 0
Total, Sterling,			£36,915 0 0
EXPORTS.			
To United Kingdom,	-	-	£24,063 0 0
British Colonies, viz. North America,	£4,240	0 0	
West Indies,	32,902	0 0	
			37,142 0 0
United States,	-	-	1,017 0 0
Foreign States,	-	-	1,246 0 0
Total Sterling,			£63,468 0 0
			ALEX. GRANT, <i>Collector</i> .
			CHAS. V. FORSTER, <i>Controller</i> .

*Custom House, Saint Andrews.*

# APPENDIX.

An account of all vessels that have entered inwards and cleared outwards in the year ended 5th January, 1837.

## INWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
25	7,794	109	13,940	121	9,494	3	281	258	31,509	1,555

## OUTWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
38	11,791	116	15,819	78	2,190	3	563	235	30,363	1,483

ALEX. GRANT, *Collector.*  
CHAS. V. FORSTER, *Controller.*

## PORT OF SAINT ANDREWS, NEW BRUNSWICK.

A list of registered vessels belonging to this Port on the 31st December, 1837, with their respective tonnage.

	Vessels names.	Tons.		Vessels names.	Tons.
1824.	Fair Play,	17		<i>Brought forward,</i>	1,379
	Industry,	13		Amaranth,	169
	Fly,	14		Mary Eliza,	19
	Eliza Ann,	14	1831.	Sarah,	16
1825.	Retrieve,	19		Sarah Henrietta,	252
	Waterloo,	22		Enterprize,	19
	Perseverance,	46		Mary Ann,	17
	Annis,	53	1832.	Princess Victoria,	561
1826.	Martin,	30		Perseverance,	46
	Dolphin,	15		Nancy,	11
	Royal George,	19		Cavalier Jouett,	191
	Minerva,	31		Mariner,	72
	Shark,	17		Eliza Ann,	191
	Eliza,	12		Jennet Grant,	96
	Sir Howard Douglas,	27	1833.	Elizabeth,	40
1827.	Fly,	16		Flying fish,	13
	Lark,	23		Trial,	40
1828.	Fiddle,	26		Allice,	11
	John,	13		True Briton,	12
	Drake,	14		Douglas Clarke,	31
	Junon,	57		Drudge,	55
829.	Friends,	13		Matilda,	28
	Postboy,	58		Susan,	174
	Mary Ann,	45		Dash,	93
1830.	William Henry,	33		Saint George,	240
	Sarah Ann,	61	1834.	Milo,	39
	Sarah,	38		Nehemiah,	275
	Henry,	30		Sarah Jane,	75
	Mary and Wemyss,	147		Phoebe,	26
1831.	Frederick,	216		Victory,	13
	Atalanta,	10		Mary Jane,	30
	Susan,	16		Only Daughter,	36
	Queen of the Isles,	183		Betsey,	47
	Enterprize,	31		Wellington,	42
	<i>Carried forward,</i>	1,379		<i>Carried forward,</i>	4,359

# APPENDIX.

Vessels names.		Tons.	Vessels names.		Tons
<i>Brought forward,</i>		4,359	<i>Brought forward,</i>		8,419
1834.	Alexander Edmund,	20	1836.	Sarah Lovett,	145
	Lively,	24		Lord of the Isles,	211
	Catherine,	12		Sarah Ann,	21
	Leader,	24		Margaret,	22
	Margaret,	24		Joseph Porter,	482
	William Walker,	68	1837.	Thomas Wyer,	52
	Julia,	154		Rachael,	36
	Tusket,	39		Harp,	21
	John,	52		Active,	20
1835.	Robert Watt,	491		Crown,	29
	Sarah Jane,	74		Hannah,	36
	Thistle,	266		Saint Mungo,	183
	Emily,	60		Pilgrim,	16
	Midge,	89		Chance,	22
	Thomas Parker,	98		Saint Croix,	58
	Diana,	44		Henry,	33
	Hope,	13		Spartan,	12
	Fleta,	21		Rover,	69
	Cadwallader,	156		Milton,	12
	Trial,	40		Corsair,	105
	Robert,	188		Boundary,	21
	Hester,	232		Sarah Ann,	28
	Maria,	119		Orient,	109
	William,	95		Jane,	37
1836.	Colonist,	300		Industry,	12
	William and Edward,	27		Hunter,	13
	Swallow,	32		Thomas Armstrong,	122
	Saint Croix,	19		Friends,	18
	Palace,	24		Elizabeth Caroline,	131
	Ann,	19		Dispatch,	46
	Mary Jane,	33		Hebe,	160
	Olive Branch,	37		Sir Lionel Smith,	63
	Emily,	14		Hibernia,	9
	George Gordon,	18		Mary Ann,	46
	Ava,	461		Wilson,	565
	Mary,	339		Queen Victoria,	715
	Morris,	134		Emeline,	106
	Ann,	110		Elgin,	163
	Mary,	38		Dove,	11
	Unity,	127		Oracle,	59
	Dove,	34		Primrose,	19
	Ophelia,	85		Helen Marks,	159
<i>Carried forward,</i>		8 419	<i>Total,</i>		157 vessels—Tons, 12,810

## OUT BAYS.—PORT OF SAINT ANDREWS.

### SAINT STEPHEN.

DUTIES collected under Acts of Parliament, during the year ending 5th January, 1838.

Under Acts subsequent to 18 Geo. III.	£166 19 9
Do. Prior to do.	37 16 9

Total sterling, £204 16 6

THOMAS ARMSTRONG, Sub Collector.

Custom House, Saint Stephen, 5th January, 1838.

Abstract

# APPENDIX.

Abstract account of Imports and Exports from Saint Stephen, for the year ending 5th January, 1838.

IMPORTS.			
From Great Britain,	-	-	£155 0 0
From British Colonies, viz: North America,	£3,652	13 4	
West Indies,	1,243	6 9	
			4,896 0 1
United States	-	-	4,317 19 6
Total sterling,			£9,368 19 7

EXPORTS.			
To Great Britain,	-	-	£433 5 0
To British Colonies, viz: North America,	£15,402	18 3	
West Indies,	22,000	5 0	
			37,403 3 3
Total sterling,			£37,836 8 3

THOMAS ARMSTRONG, *Sub Collector.*

*Custom House Saint Stephen.*

An account of all vessels that have entered inwards and cleared outwards in the year ended 5th January, 1837.

## INWARDS.

Great Britain.			British Colonies.			United States.			Foreign States.			Total.		
No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.
1	208	9	146	14,468	728	0	0	0	0	0	0	147	14,676	737

## OUTWARDS.

To Great Britain.			British Colonies.			United States.			Foreign States.			Total.		
No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.	No.	Tons.	Men.
1	482	18	165	17,548	888	0	0	0	0	0	0	166	18,030	906

THOMAS ARMSTRONG, *Sub Collector.*

*Custom House, Saint Stephen, January 5, 1838.*

## WELCHPOOL, CAMPOBELLO.

Duties collected under Acts of Parliament, during the year ending 5th January, 1838.	
Under Acts subsequent to 18 Geo. 3.	£68 19 9
Do. prior do.	18 10 5

Total sterling, £87 10 2  
THOMAS HUDSON, *Sub Collector.*

*Welch Pool, 5th January, 1838.*

Abstract account of Imports and Exports to and from Welchpool, for the year ending 5th January, 1838.

## IMPORTS.

From Great Britain, <i>none</i> .					
“ British Colonies, viz: North America,			£2,058	0	0
“ West Indies,	-	-	876	10	0
“ United States,	-	-	-	-	
			Total sterling,		

## EXPORTS.



# APPENDIX.

EXPORTS.									
To Great Britain,	-	-	-	-	-	-	-	900	0 0
British Colonies, viz: North America,						£416	17 0		
West Indies	-	-	-	-	-	8,008	0 0		
Elsewhere,	-	-	-	-	-	428	0 0		
								£8,852	17 0
United States,	-	-	-	-	-	-	-	1,616	12 0
								Total sterling,	£11,369 9 0

THOMAS HUDSON, *Sub Collector.*

*Custom House, Saint Stephen.*

An account of all vessels that have entered inwards and cleared outwards in the year ended the 5th January, 1837.

## INWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
1	310	40	4,237	54	3,361	0	0	95	7,908	548

## OUTWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
2	137	48	5,157	45	2,488	0	0	95	7,800	540

THOMAS HUDSON, *Sub Collector.*

*Custom House, Welchpool, 24th January, 1838.*

## MAGAGUADAVIC.

Duties collected under Acts of Parliament during the year ending 5th January, 1838.  
 Under Acts subsequent to 18 Geo. 3, £261 17 8  
 Do. prior do. 5 13 2

Total sterling, £267 10 10

A. J. WETMORE, *Sub Collector.*

*Custom House, Magaguadavic, 5th January, 1838.*

Abstract accounts of Imports and Exports to and from Magaguadavic, for the year ending 5th January, 1838.

## IMPORTS.

From Great Britain, none.									
North America,	-	-	-	-	-	-	-	£187	0 0
United States,	-	-	-	-	-	-	-	2,881	5 0
								Total sterling,	£3,068 5 9

## EXPORTS.

To Great Britain,	-	-	-	-	-	-	-	£2,050	10 0
British Colonies, viz: North America,	-	-	-	-	-	£602	0 0		
West Indies,	-	-	-	-	-	1,131	5 0		
								1,733	5 0
								Total sterling,	£3,783 15 0

A. J. WETMORE, *Sub Collector.*

*Custom House, Magaguadavic, 5th January, 1838.*

An

# APPENDIX.

An account of all vessels that have entered inwards and cleared outwards in the year ended 5th January, 1838.

## INWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
1	265	6	470	20	1,424	0	0	27	2,159	118

## OUTWARDS.

Great Britain.		British Colonies.		United States.		Foreign States.		Total.		
No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	No.	Tons.	Men.
3	1,069	10	910	4	100	0	0	17	2,079	100

A. J. WETMORE, *Sub Collector.*

*Custom House, Magaguadavic, 5th January, 1838.*

General Abstract shewing the total amount of Imports and Exports at the Port of Saint Andrews and its out bays.

### IMPORTS.

Saint Andrews,	-	-	-	-	£36,915	0	0
Out Bays.—Saint Stephen,	-	-	-	-	9,368	19	7
“ “ Welchpool,	-	-	-	-	9,511	4	0
“ “ Magaguadavic,	-	-	-	-	3,068	5	0
Total Imports sterling,					£58,863	8	7

### EXPORTS.

Saint Andrews,	-	-	-	-	£63,468	0	0
Out Bays.—Saint Stephen,	-	-	-	-	37,836	8	3
“ “ Welchpool,	-	-	-	-	11,369	9	0
“ “ Magaguadavic,	-	-	-	-	3,783	15	0
Total Exports sterling,					£116,457	12	3

*5th January, 1838.*

General abstract shewing amount of Duties collected at the Port of Saint Andrews and its Out Bays, under Acts passed prior and subsequent to Acts 18 Geo. 3.

	<i>Prior.</i>			<i>Subsequent.</i>		
Saint Andrews,	£104	6	5	£411	4	6
Out Bays.—Saint Stephen,	37	16	9	166	19	9
“ “ Welchpool,	18	10	5	68	19	9
“ “ Magaguadavic,	5	13	3	261	17	8
Total sterling,	£166	6	9	£909	1	8
Under Acts subsequent,	-	-	-	-	909	1 8
Do. prior,	-	-	-	-	166	6 9
<i>5th January, 1838.</i>					£1,075	8 5

## SAINT JOHN.

Accounts of Duties collected at the Port of Saint John and its Out Bays, under Acts of Parliament passed subsequent and prior to 18 Geo, 3, during the year ending 5th January, 1838.

Collected under Acts passed subsequent to 18 Geo. 3.

RECEIPTS.				<i>Sterling.</i>		
Duties received on Goods imported from Great Britain,	£3,345	9	7			
Do. “ “ “ Ireland,	142	9	6			
Do. “ “ “ Jersey,	6	7	0			
Do. “ “ “ Gibralter,	79	17	4			
Carried forward,	£3,574	3	5			
mm						

# APPENDIX.

				<i>Brought forward,</i>	3,574	3	5	<i>Sterling.</i>
Duties received on goods imported from Holland,					664	6	7	
Do.	"	"	" France,		1	11	1	
Do.	"	"	" Africa,		22	12	1	
Do.	"	"	" Saint Andrews,		2	18	11	
Do.	"	"	" N. Am. Colonies,	1,869	6	11		
Do.	"	"	" West Indies,	248	7	7		
Do.	"	"	" Saint Domingo,	42	9	8		
Do.	"	"	" Porto Rico,	242	9	4		
Do.	"	"	" Cuba,	2	17	3		
Do.	on goods imported from United States in							
			British vessels,	3,610	1	0		
Do.	do.		Foreign do.	1,181	6	4		
Do.	do.		Inland Port of Woodstock,	104	9	4		
								£11,566 19 6
				<i>PAYMENTS.</i>	<i>Sterling.</i>			
Proportion of salaries paid by the Province,					£3,040 0 0			
Paid to Provincial Treasurer, Saint John,				£152	6	0		
"	Collector and Controller, Saint Andrews, deficiency of duties to pay salary Christmas quarter, 1836,			104	19	8		
"	W. H. Scovil, St. John, return duties pr. Board's order,			4	18	8		
"	D. M'Millan, " "			5	15	5		
"	W. D. W. Hubbard, " "			10	3	1		
"	E. T. Knowles, " "			1	14	8		
"	D. J. M'Intyre, " "			2	11	8		
"	E. Barlow & Sons, " "			23	17	11		
"	Deputy Treasurer Woodstock, " "			38	5	1		
								£344 12 2
Lady day quarter,								
"	Provincial Treasurer, Saint John,			£1,431	13	2		
"	Collector and Controller, Saint Andrews, deficiency Lady Day quarter, 1838,			148	10	2		
"	Duties incorrectly credited to Acts subsequent Michaelmas quarter, 1828,			10	16	1		
"	Do.	do.	do. Midsummer quarter,	5	14	10		
"	Do.	do.	do. Michaelmas quarter, 1833,	4	1	9		
"	G. Riley, return duties per Board's order,			12	12	10		
"	R. Rankin & Co. do. do.			2	5	6		
"	Charles Johnston, do. do.			6	9	9		
"	Deputy Treasurer Miramichi,			547	15	4		
"	Do.	do.	Dalhousie,	71	10	10		
"	Do.	do.	Bathurst,	105	3	3		
"	Do.	do.	Richibucto,	45	9	10		
"	Do.	do.	Woodstock,	21	0	4		
								£2,413 3 8
Midsummer quarter,								
"	Provincial Treasurer, Saint John,			£2,174	9	8		
"	Collector and Controller, Saint Andrews, deficiency Midsummer quarter, 1838,			112	3	8		
"	W. H. Robinson, return duties per Board's order,			20	18	2		
"	Deputy Treasurer, Miramichi,			358	9	10		
"	Do.	do.	Dalhousie,	79	1	7		
"	P. & D. Stewart, Dalhousie, return duties per Board's order,			6	9	7		
"	Deputy Treasurer, Richibucto,			36	3	6		
"	Do.	do.	Woodstock,	16	0	11		
								2,803 16 11
Michaelmas quarter,								
								Carried forward, 8,601 12 9

# APPENDIX.

	<i>Brought forward,</i>	<i>Sterling.</i>
Paid Provincial Treasurer Saint John,	2,547 19 2	8,601 12 9
“ Collector and Controller, Saint Andrews, Michaelmas quarter, 1838,	8 11 5	
“ S. Howard, return duties per Board's order,	1 14 4	
“ N. Disbrow, do.	8 8 3	
“ James Patterson, do.	7 1 11	
“ Deputy Treasurer Miramichi,	292 11 1	
“ J. Cunard & Co, Miramichi, return duties per Board's order,	26 10 2	
“ Deputy Treasurer, Dalhousie,	12 5 0	
“ Do. do. Richibucto,	31 9 5	
“ Do. do. Woodstock,	28 16 0	
Christmas quarter,		2,965 6 9
		<u>£11,566 19 6</u>

H. BOWYER SMITH, *Collector.*  
G. H. SMITH, *Acting Controller.*

*Custom House, Saint John, N. B. January 5, 1838.*

Duties collected under Acts passed prior to 18 Geo. 3.

Saint John,	-	-	-	-	£643 18 6
Out Bays, Miramichi,	-	-	-	-	29 5 10
“ “ Dalhousie,	-	-	-	-	8 9 11
“ “ Bathurst,	-	-	-	-	0 3 5
“ “ Caraquet,	-	-	-	-	4 10 0
“ “ Richibucto,	-	-	-	-	11 1 7
“ “ Dorchester,	-	-	-	-	0 0 0
“ “ Woodstock, (Inland)	-	-	-	-	0 0 0

Total Sterling,

£697 9 3

H. BOWYER SMITH, *Collector.*  
G. H. SMITH, *Acting Controller.*

*Custom House, Saint John, N. B. 5th January, 1838.*

General abstract duties collected.

Under Acts subsequent to 18 Geo. 3,	-	-	-	-	£11,566 19 6
Do. prior do.	-	-	-	-	697 9 3

Total Sterling,

£12,264 8 9

*January 5, 1838.*

Abstract account of number of vessels on register belonging to the Port of Saint John, on 31st December, 1837.

Saint John—Existing Vessels.

	382 vessels,	94,004 Tons.
Mirimachi,	69 “	15,662 “
Total,	451 vessels.	109,666 Tons.

# APPENDIX.

Staple articles Exported in the year ending 5th January, 1838.

Saint John,	90,916	Timber. Tons.	Saint John,	65	Oats. <i>Bushels.</i>
Miramichi,	51,570		Saint John,	99 & 1120 <i>kits.</i>	Salmon, pickled. <i>Barrels.</i>
Dalhousie,	39,357		Miramichi,	1,370	
Richibucto,	16,973		Dalhousie,	278	
Dorchester,	27		Bathurst,	78	
Bathurst,	20,036		Caraquet,	18	Total,
Caraquet,	3,216		Total,	1,843 & 1120 <i>kits.</i>	
Total,	222,095	Deals, Boards and Plank. <i>M. superficial feet.</i>	Saint John,	6,073	Salmon, smoked.
Saint John,	36,286½		Saint John,	1,959 & 211 <i>kits.</i>	Mackerel salted, <i>Bbbs.</i>
Miramichi,	12,092		Saint John,	16,279	Codfish, dry, <i>Quintals.</i>
Dalhousie,	481½		Miramichi,	1,659	
Richibucto,	7,161		Bathurst,	770	
Dorchester,	602		Dalhousie,	60	
Bathurst,	164	Shingles. <i>Mds.</i>	Caraquet,	8,666	Total,
Caraquet,	32		Total,	27,434	
Total,	56,818½	Staves. <i>Pieces.</i>	Saint John,	5,384	Alewives, salted, <i>Barrels.</i>
Saint John,	2,325½		Miramichi,	3,559	
Miramichi,	1,413		Richibucto,	255	Total,
Dalhousie,	881		Total,	9,198	
Richibucto,	562	Masts and Spars. <i>Pieces.</i>	Saint John,	398 & 310 <i>kits.</i>	Shad, salted, <i>Barrels.</i>
Total,	5,181½		Bathurst,	1,003	Codfish, pickled. <i>Barrels.</i>
Saint John,	666,707		Caraquet,	78	
Miramichi,	17,340		Total,	1,081	Tongues and Sounds. <i>Kits.</i>
Dalhousie,	16,608	Small poles.	Saint John,	57	
Richibucto,	23,871		Bathurst,	2	Total,
Dorchester,	7,806		Total,	59	
Bathurst,	2,550		Saint John,	1,042 & 20 <i>kits.</i>	Herrings, salted, <i>Barrels.</i>
Caraquet,	736	Handspikes. <i>Pieces.</i>	Dalhousie,	63	
Total,	735,618		Caraquet,	4	Total,
Saint John,	1,854		Total,	1,109	
Miramichi,	1,383		Saint John,	11,915	Do. smoked, <i>Boxes.</i>
Dalhousie,	261	Oars.	Saint John,	7,286	Oil, fish, <i>Gallons.</i>
Richibucto,	316		Dalhousie,	1,088	
Dorchester,	152		Caraquet,	922	Total,
Bathurst,	264		Total,	9,296	
Total,	4,230	Lathwood. <i>Cords.</i>	Saint John,	139,354	Oil, Black Whale, <i>do.</i>
Saint John,	3,177		Saint John,	62,157	Oil, Sperm, <i>do.</i>
Saint John,	768		Saint John,	520	Lime. <i>Hogsheads.</i>
Miramichi,	220		Caraquet,	220	Oysters. <i>Hogsheads.</i>
Dalhousie,	240	Trunails.	Saint John,	249	Grindstones. <i>Tons.</i>
Richibucto,	96		Caraquet,	28	
Total,	1,324		Total,	277	Furs.
Saint John,	3,537		Saint John,	19 <i>Packages.</i>	
Miramichi,	1,359	Potatoes. <i>Bushels.</i>	Dalhousie,	150 <i>Skins.</i>	Total,
Dalhousie,	442		Saint John,	1,310	
Richibucto,	114		Saint John,	317	Whale Bone. <i>cwt.</i>
Bathurst,	281				
Total,	5,733				
Saint John,	963 & 57 M. Laths				
Miramichi,	1,193				
Dalhousie,	781				
Richibucto,	479				
Dorchester,	9½				
Bathurst,	443½				
Caraquet,	70				
Total,	3,939½ & 57 M. laths				
Richibucto,	3,000				

H. BOWYER SMITH, *Collector.*

G. H. SMITH, *Acting Controller.*

Custom House, Saint John, N. B. 17th February, 1838.

STATEMENT OF FEES AND PERQUISITES OF OFFICE,  
RECEIVED BY THE ADMINISTRATOR OF THE GOVERNMENT, CHIEF JUSTICE,  
AND JUDGES OF THE SUPREME COURT, AND OTHER PUBLIC OFFICERS.

ADMINISTRATOR OF THE GOVERNMENT.

ACCOUNT of Fees to the Administrator of the Government during the year 1837, *nil.*

The Fees formerly payable to the Administrator of the Government are now paid over to the Casual Revenue Fund.

The amount during the past year, 1837, collected at the Secretary's Office, and paid over to the Receiver General, was £422 15 10, exclusive of the proceeds of the sales of Land and Timber, the fees for which were commuted.

WILLIAM F. ODELL.

CHIEF JUSTICE.

Account of Fees received and receivable by the Chief Justice in the year 1837.

Circuit Trial fees, £3 16 8

Fees at Chambers—no accurate account kept, estimated not to exceed 3 0 0

WARD CHIPMAN.

JUDGE BOTSFORD.

Gloucester,	-	-	-	£7	3	4
Northumberland,	-	-	-	15	0	0
					£22	3 4

W. BOTSFORD.

JUDGE CARTER.

TRIAL FEES.

Saint John Circuit,	-	-	-	-	£12	10	0
Sunbury, "	-	-	-	-	0	6	8
Queen's, "	-	-	-	-	0	13	4
Charlotte, "	-	-	-	-	20	10	0
Carleton, "	-	-	-	-	10	0	0
Charlotte, "	-	-	-	-	9	6	8

£53 6 8

I have no accurate account of Chamber fees, but can safely say they do not amount to more than

8 0 0

£61 6 8

J. CARTER.

JUDGE PARKER.

Fees received on the Circuits and at Chambers, which include all except those paid through the Clerk, £13 6 8

Fees receivable, but not received, about 3 0 0

Judge Parker has not kept a particular account of Fees not received; he has declined receiving Fees on affidavits and acknowledgments of Deeds, and to some other cases fees have not been paid; he thinks the whole cannot amount to more than £3, as above stated.

R. PARKER.

# APPENDIX.

*Fredericton, 12th February, 1838.*

SIR—I regret to say that I cannot, without much inconvenience and great labor, furnish the information required by your Honor, to be laid before His Excellency the Lieutenant Governor, for the purpose of possessing the House of Assembly with the amount of the Judges fees received through the medium of the Clerk of the Supreme Court, together with those of the Clerk, for one year ending 31st December, 1837. The accounts in the office of Clerk of the Pleas being kept from the end of one term to the end of another; but I enclose for your Honor's information the amount of fees received by the Judges, and the amount that should have been received by the Clerk of the Pleas, from the end of Michaelmas Term, 1836, to the end of Michaelmas Term, 1837, embracing a period of one entire year, which I trust will be satisfactory.

I have the honor to be

Your most obedient servant,

GEORGE SHORE,

*Clerk of the Pleas of Supreme Court.*

To His Honor the Chief Justice, &c. &c. &c.

Amount of Fees due from Clerk of Crown to the Judges, by Attorney General's dockets, filed between January 7, 1837, and January, 1838.

On entries of causes, - - - - - £4 0 0

WM. TYNG PETERS, *Late Clerk of Crown.*

Amount of Fees received and paid by the Clerk to the Judges of the Supreme Court, from the end of Michaelmas Term, 1836, to end of Michaelmas Term, 1837.

Total amount of Fees, £585 10 0

GEORGE SHORE.

*Fredericton, 12th February, 1838.*

Amount of Fees payable to the Clerk of the Pleas of the Supreme Court, from the end of Michaelmas 1836, to the end of Michaelmas 1837,

Amount of fees for the above period, - - - - - £1,060 0 0

Deduct Clerk hire, &c. &c. - - - - - 130 0 0

Nett amount received by the Clerk, £930 0 0

GEORGE SHORE.

*Fredericton, 12th February, 1838.*

Return of Fees payable to the Clerk of the Crown in the Supreme Court, in the year ending 1st January, 1838.

Total amount of Fees as Clerk of the Crown, - - - - - £6 3 0

Do. do. as Clerk of the Court of nisi prius in York County, 42 1 6

£48 4 6

G. F. S. BERTON, *Clerk Crown.*

*Fredericton, 20th February, 1838.*

SIR—In compliance with instructions I have received from the Honorable Mr. Chief Justice Chipman, I send you the following statement of fees made up for the year ending 1st January, 1838.

As Clerk of the Circuits, - - - - - £199 3 7

As Clerk of the Crown on the Circuits, - - - - - 1 6 6

£200 10 1

I have the honor to be, Sir,

Your obedient servant,

WM. TYNG PETERS,

*Clerk of the Circuits, and Clerk of the Crown on the Circuits.*

To the Hon. William F. Odeh, Province Secretary, &c. &c. &c.

Account

# APPENDIX.

Account of Fees received during the year 1837, by the Secretary and Register of the Province and Clerk of the Executive Council, and by the Clerk of the Crown in Chancery, specifying the different sources from which they are derived, and the amount received for each service.

<i>Secretary and Clerk of Council.</i>									
Marriage Licences,	-	-	-	-	-	-	-	£291	7 6
School Licences,	-	-	-	-	-	-	-	39	19 9
Militia Commissions,	-	-	-	-	-	-	-	4	9 0
Administrations,	-	-	-	-	-	-	-	39	18 11
Auctioneer's Licences,	-	-	-	-	-	-	-	19	16 8
Certificates of Naturalization,	-	-	-	-	-	-	-	1	10 0
Commissions to Custom House officers,	-	-	-	-	-	-	-	1	0 0
Lease of Coal Mines,	-	-	-	-	-	-	-	1	10 0
Commissions under the Great Seal,	-	-	-	-	-	-	-	23	5 2
Copies and exemplifications of Grants,	-	-	-	-	-	-	-	10	4 2
Licences to solemnize marriage,	-	-	-	-	-	-	-	4	0 0
Warrants for apprehending an absconding debtor from the United States,	-	-	-	-	-	-	-	1	3 0
Copies of Petitions,	-	-	-	-	-	-	-	6	2 6
Commissions to King's Counsel,	-	-	-	-	-	-	-	1	6 8
Certificates,	-	-	-	-	-	-	-	0	5 0
<i>Register.</i>									
Recording order against absconding debtors,	-	-	-	-	-	-	-	0	6 0
<i>Secretary and Clerk of the Crown in Chancery.</i>									
Commissions of rebellion,	-	-	-	-	-	-	-	1	3 4
								*£447	7 8
Due to the Clerk of the Crown in Chancery, Fees in two cases of lunacy,	-	-	-	-	-	-	-	3	13 3
amounting to	-	-	-	-	-	-	-	WM. F. ODELL.	

\* Expended in paying the Clerks' wages, and other expences of the office.

*Receiver General's Office, Fredericton, 10th February, 1838.*

SIR—I have the honor to acknowledge the receipt of your communication of the 8th instant, requiring me to furnish an account of all fees and perquisites of office received by me, from whatever source derived, for the year ending 1st January, 1838.

In reply I beg leave to inform you that no fees or perquisites whatever are attached to the office of the Receiver General, as at present constituted, and that I have never received any allowance for Clerk, Office rent, or contingencies, since the time of my accession to office.

I have the honor to be, Sir,

Your most obedient servant,

THOMAS C. LEE.

Honorable W. F. Odell, Provincial Secretary.

Return to an Address from the House of Assembly to His Excellency the Lieutenant Governor, for "an account of all fees and perquisites of Office, received by the Commissioner of Crown Lands and Forests, and the Surveyor General, from whatever source derived, specifying the amount received for each service, to include all fees and perquisites payable, though not received, during that period." The account to be made up for the year ending 1st January, 1838, viz:—

1837.—January 27—Moses H. Perley for certified plans,	£1	0	0
March 6—Frederick Jenkins, certificate of boundary,	0	2	6
	£1	2	6

THOMAS BAILLIE,  
Commissioner and Surveyor General.

*Department for Crown Lands and Forests,  
Fredericton, N. B., February 10, 1838.*

NOTE.—All fees or perquisites payable to the Commissioner and Surveyor General were commuted in 1830—since which period they have been carried to the credit of the Casual Revenue, in the items of Land and Timber.



No. 17.

## RETURNS

FROM THE

**CLERK OF THE PEACE AND SHERIFF, CARLETON.**

**T**RANSSCRIPT from the Records of Fines imposed by the Courts of General Sessions of the Peace for the County of Carleton, on convictions by Indictments, since the organization of the County up to the present period.

AT JUNE TERM, 1833.—*The King vs. Robert De Merchant.*

The Court sentence the defendant to pay a fine to our Sovereign Lord the King of five pounds.

AT JUNE TERM, 1834.—*The King vs. Prince Edward Payson.*

The Court sentence the defendant to pay a fine to our Sovereign Lord the King of one shilling.

AT JANUARY TERM, 1835.—*The King vs. Thomas Teeling.*

The Court sentence the defendant to pay a fine of three pounds to our Sovereign Lord the King, with costs of prosecution.

This fine was paid by defendant into Court.

*The King vs. George Brown, Converse Brown, William Flannigan, John Flannigan and Michael Campbell.*

The defendants, George Brown, Converse Brown, and John Flannigan, being at the Bar, the Court sentence them severally to a fine of one shilling to our Sovereign Lord the King, with costs of prosecution.

These fines were paid into Court by defendants.

*The King vs. Abraham Dubay.*

The Court sentence defendant to pay a fine of five pounds to our Sovereign Lord the King, with costs of prosecution.

AT JUNE TERM, 1835.—*The King vs. Rufus Shaw.*

The Court sentence the defendant to pay a fine of four pounds to our Sovereign Lord the King, with costs of prosecution.

This fine was paid by defendant into Court.

*The King vs. Daniel Boyle.*

The Court sentence the defendant to pay a fine of ten pounds to our Sovereign Lord the King, with costs of prosecution.

AT JUNE TERM, 1836.—*The King vs. James Green.*

The Court sentence the defendant to pay a fine of four pounds to our Sovereign Lord the King.

*The King vs. Prince E. Payson.*

The Court sentence the defendant to pay a fine of fifteen pounds to our Sovereign Lord the King.

*The King vs. Prince E. Payson.*

The Court sentence the defendant to pay a fine of ten pounds to our Sovereign Lord the King.

*The*

## APPENDIX:

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### *The King vs. Charles M'Ginley.*

The Court sentence the defendant to pay a fine of ten pounds to our Sovereign Lord the King.

AT JANUARY TERM, 1837.—*The King vs. Robert Mackay, Andrew Mackay and John Mackay.*

The Court sentence the defendants to pay a fine of one shilling each to our Sovereign Lord the King, with costs of prosecution.

These fines were paid by defendants into Court.

### *The King vs. John Muldoon.*

The Court sentence the defendant to pay a fine of five pounds to our Sovereign Lord the King.

### *The King vs. John Muldoon.*

The Court sentence the defendant to pay a fine of three pounds to our Sovereign Lord the King.

### *The King vs. Hugh Shannon and William Shannon.*

The Court sentence the defendants to pay a fine of five pounds each to our Sovereign Lord the King.

AT JUNE TERM, 1837.—*The King vs. Leonard R. Harding.*

The Court sentence the defendant to pay a fine of two pounds and ten shillings to our Sovereign Lord the King.

### *The King vs. John C. Chipman.*

The Court sentence the defendant to pay a fine of five shillings to our Sovereign Lord the King.

A. K. SMEDES WETMORE,

*Clerk Peace, County Carleton.*

There have been other fines inflicted, such as for offences against the Act to regulate Tavernkeepers and Retailers; but as the Act provides that these shall be paid into the County Treasury, it is presumed that the object of the resolution was not intended to extend to these, and they have not therefore been included.

Most respectfully submitted.

A. K. SMEDES WETMORE, *Clerk.*

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IN THE CARLETON SESSIONS, JUNE TERM, 1833.

### *The King vs. Robert De Merchant.*

Sentenced to pay a fine to the King of five pounds, and stand committed till the fine was paid.

Mr. Sheriff Winslow having requested me to state what I recollected respecting his application to the Court, for advice or direction how to proceed with the defendant, whether to lock him up in Gaol, or take security and let him have his liberty, as he had ascertained he had no means of paying the fine at the present time.

The Chairman, B. C. Beardsley, Esquire, stated the course he had known to have been pursued by Sheriff Leonard, in Upper Canada, which was, to take security from the person, and then let him go at large, and recommended the course as the most humane, and that it would at the same time answer the purpose of the law.

I was in my place in Court at the time, and believe that De Merchant was the first person sentenced to pay a fine to the King, and certify the above statement to be "in substance" correct.

JOHN DIBBLEE,

*Justice of the Peace for the County of Carleton.*

I have perused the within statement, made by John Dibblee, Esquire, respecting the Chairman of the Sessions, sanctioning the measures of the Sheriff in taking security for a fine in the case of the King vs. Robert DeMerchant, and my recollection of the circumstance Mr. Dibblee's statement is correct.

JNO. S. M'BEATH, *then Deputy Sheriff.*

oo

The

## APPENDIX.

The following is a statement of the convictions imposed upon persons by the Justices of the Court of General Sessions, in and for the County of Carleton, since June Term, 1833, being the first term of said Court held in said County.

*The King vs. Robert De Merchant.*

Defendant fined five pounds, and imprisonment until paid.

By special sanction of the Court, as expressed by the Chairman, the Sheriff liberated defendant, taking a note in security, which was at different periods paid in labour.

JUNE TERM, 1834.—*The King vs. Prince E. Payson.*

Defendant fined one shilling.

This fine is supposed to have been paid to the Clerk.

JANUARY TERM, 1835.—*The King vs. Thomas Teeling.*

Defendant fined three pounds, with costs of prosecution and imprisoned until paid.

This fine is supposed to have been paid to the Clerk.

*The King vs. George Brown, Converse Brown, William Flannagan, John Flannagan and Michael Campbell.*

Defendants, George Brown, Converse Brown, and John Flannagan fined one shilling each, with costs of prosecution.

This fine is supposed to have been paid to the Clerk.

*The King vs. Abraham Dubay.*

Defendant fined five pounds, with costs of prosecution, and imprisoned until paid.

The Sheriff is not certain whether this fine was paid to the Clerk, but if such is not the fact, of course the Sheriff holds himself accountable for the same.

JUNE TERM, 1835.—*The King vs. Rufus Snow.*

Defendant to pay a fine of four pounds, with costs of prosecution, and to be imprisoned until paid.

This fine paid to the Clerk.

*The King vs. Daniel Boyle.*

Defendant fined ten pounds, with costs of prosecution, and to be imprisoned until paid.

The Sheriff has received five pounds, and expects to receive the balance soon, as the same could have been obtained by commencing a suit.

JUNE TERM, 1836.—*The King vs. James Green.*

Defendant fined four pounds, and to be imprisoned until paid.

The Sheriff has received two pounds, and has commenced a suit for the balance.

*The King vs. Prince E. Payson.*

Defendant fined fifteen pounds, and to be imprisoned until paid.

The Sheriff has commenced a suit in this case.

*The King vs. Prince E. Payson.*

Defendant fined ten pounds, and to be imprisoned until paid.

The Sheriff has commenced an action in this case.

*The King vs. Charles M'Ginley.*

Defendant fined ten pounds, and to be imprisoned until paid.

The Sheriff has received fifty shillings on account of the security taken, and expects to get the remainder paid in labor by the defendant.

JANUARY TERM, 1837.—*The King vs. Robert Mackay, Andrew Mackay and John Mackay.*

Defendants fined one shilling each, with costs of prosecution.

This fine supposed to have been paid the Clerk, although paid by the Sheriff as per voucher.

*The King vs. John Muldoon.*

Defendant fined five pounds, and to be imprisoned until paid.

This fine paid by the Sheriff as per voucher.

*The King vs. John Muldoon.*

Defendant fined three pounds, and to be imprisoned until paid.

This fine paid by the Sheriff as per voucher.

*The King vs. Hugh Shannon and William Shannon.*

Defendants fined five pounds each, and to be imprisoned until paid.

This fine paid by the Sheriff as per voucher.

## APPENDIX.

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JUNE TERM, 1837.—*The King vs. Leonard R. Harding.*

Defendant fined two pounds ten shillings, and to be imprisoned until paid.

This fine paid by the Sheriff as per voucher.

*The King vs. John C. Chipman.*

Defendant fined five shillings, and to be imprisoned until paid.

This fine paid by the Sheriff as per voucher.

The Sheriff of Carleton herewith transmits an account of fines imposed by the Court of General Sessions in said County since its organization, with the several amounts received by said Sheriff on account thereof, and the said Sheriff is, as he always has been, ready to pay over the same when called upon by the proper officer (see Sheriff's letter to the Receiver General), only requiring so much time as will enable him, the said Sheriff, to bring the several suits (commenced by him on receipt of an official from the Auditors) to a close, as he the said Sheriff does not deem it expedient, *under all the circumstances*, to pay over part until the whole amount due that officer is collected.

JOHN F. W. WINSLOW, *Sheriff of Carleton.*

Woodstock, 20th February, 1838.

No. 18.

## REPORT

ON A

# SURVEY OF THE RIVER SAINT JOHN, FROM FREDERICTON TO THE GRAND FALLS.

*Saint John, N. B., August 21, 1826.*

SIR—

**A** GREEABLE to the commands of His Excellency the Lieutenant Governor, conveyed to me in your instructions, dated 21st June, 1826, I proceeded without delay to "Survey the River Saint John, from Fredericton to the Great Falls, with a view to ascertaining the practicability of applying Steam Navigation to the purposes of the trade connected with the River."

Having executed the required Survey, I now beg leave to transmit to your Honor, "for the information of His Excellency," the following Report:—

I commenced at the Elm trees at the corner of Government Farm, near the Windmill at Fredericton; found a bar opposite the site of Government House, which may be passed with seven feet depth of water—bottom, sand and gravel. The channel here keeps generally on the south west side of the River, and affords eleven, twelve and fourteen feet depths to Fillis' Creek, near the cottage of the Honorable Thomas Baillie. At this place the channel shoals to six feet, but soon again deepens to seven, ten, twelve and fourteen, to the foot of Chapel bar; this being the highest part of the river where the influence of the ocean's tides are felt, and which vary from two to seven inches.

At this season of the year (June 29th), a vessel drawing eighteen inches of water, would be in danger of grounding on Chapel bar. On examining, however, the passages around the islands above this obstruction, I discovered that this shoal might be avoided by observing the following directions.

In coming down the River keep near the Sugar Island, and take the passage between it and Savage Island. After entering this passage, keep close to the head of Savage Island, where there is deep water; pass from thence to the left, and near the opposite bank (at Doctor Clark's), keeping Hallet's, Allen's and M'Gilligan's Islands on the right; from thence take the passage above Flat Island, and regain the opposite bank near Springhill. By following this track, three feet water may be had on the shoals. The average velocity of current is sixty six feet in thirty seconds.

As this passage is very circuitous, it would be desirable to have Chapel bar deepened at Colonel Allen's. This I conceive might easily be effected by building *jetties* from Sugar Island, so as to direct the main currents of the river to the western side, where a channel has already been partly formed. By this means the depth of water will not only be increased by the greater quantity caused to flow in this direction, but also from its action in deepening the present artificial cut by its force on a more confined bed.

This is an eligible situation for a Loch, which would be the most effectual means of improving this section of the River, and likewise the bar above, near Burpy's Mill, on which there is only two feet of water.

From

## APPENDIX.

From Burpy's to Mactiquack there are no obstructions worth particularizing. At the bend opposite Mactiquack river, several large rocks impede the tow-path, which ought to be removed. About three quarters of a mile up, there is an appearance of roofing slate of good quality, the removal of which would materially improve the tow-path. There are two short rapids opposite Mactiquack Islands; they do not however present any serious difficulty.

On arriving opposite Green's Tavern, I found it would be inconvenient to continue the tow-path farther on the left hand side, crossed therefore, at Green's, where the breadth of the river was nine hundred feet.

From Green's to Bear Island bar, the principal obstructions to navigation are Cunningham's and Clift's rapids. At the latter place there are some stones in the channel, which might easily be removed, and the difficulty of surmounting these rapids might, I apprehend, be as easily obviated.

Bear Island bar, however, presents a more serious obstacle than any hitherto mentioned, as interrupting the navigation of the river. This shoal is occasioned like that of Chapel bar, by the river flowing over too great a surface, and by passing round several Islands. Should the present channel, which is between Bear and Middle Islands be kept, *jetties* ought to be built from the lower end of Long Island, so as to turn the current that flows in between it and Middle Island, and also on the opposite banks, which if carried into effect, would partially prevent water from flowing round Long Island on the west, and round Bear Island on the eastern side of the River, thereby deepening the channel between Bear Island and Middle Island, by thus narrowing the surface of the running current. A Loch placed here would have a tendency to expedite navigation, and were this measure adopted, the narrow channel on the eastern side of Bear Island, would be the most convenient for the passage; by deepening which the distance would be shortened and the shoal avoided.

Bear Island bar is composed of gravel and small stones, the average diameter of which is about five inches. This shoal extends below Middle Island across the bed of the River between Bear Island and the western bank. On the eastern bank there is good clay, from which bricks are made, and for that purpose an establishment has been erected.

Near the confluence of Nackawickac stream there are a number of projecting rocks in the bed of the river. The greater part of them, however, may be easily avoided, but a few which obstruct the towing of vessels should be removed. There are also some large projecting granite rocks near the Pokahawk, which, although they do not materially impede the passage of boats, yet they are detrimental, and that too in a serious degree, by breaking up and otherwise seriously injuring timber rafts.

The tow-path above Pokahawk is extremely bad, and wants much amendment.

On arriving at the Maductick Falls, I was much surprised to find that they were only rapids occasioned by the river passing over a rocky and uneven bed, on a descent of four feet eleven inches in thirty two chains. Here the River takes a circular bend, near the periphery of which are the rapids and channel.

The navigation in this place is much obstructed by rocks, the passages around which are in some instances, extremely difficult and dangerous, and the tow-path winding amongst large masses of granite, occasion much labour and exertion in passing the tow line, and keeping it clear between the horses and boat.

These large masses of rock render the formation of a good tow-path difficult and expensive. Money, I have reason to apprehend, has been already expended to little purpose in vain and futile attempts to improve this side of the river, as a channel ought unquestionably to have been cut on the opposite side, which presents a fine gravel beach for a path, and what renders it still more advantageous is, that the situation is peculiarly well adapted for a Loch. The cut required would be short and pass into deep water both above and below. This measure would considerably improve the navigation of the river, and obviate one of the principal difficulties attending the present mode of transportation.

From Maductic to Eel River the chief obstacle to be encountered is the rapid at Fall Island. The channel, however, affords three feet water on the bar, and the velocity of the current will not materially retard the progress of a boat possessing moderate propelling powers.

## APPENDIX.

Near Eel River there are several rocks, the removal of which would expedite the passage of vessels; there are likewise some points near this place where the tow-path is obstructed, which require to be levelled.

Following the path used by the boatmen, I crossed the River at the Ferry, opposite the farm belonging to Peter Fraser, Esquire, the distance across which is six hundred and sixty feet. Here I observed that a good path might be had to Griffith's Island; above which the river must again be re-crossed to a path on the opposite side, at Mr. Connell's. The channel keeps on the western side of Griffith's Island, where a bar similar to that described at Bear Island, presents itself, the improvement of which might be effected in the same manner as recommended for Bear Island bar, viz: by jetties, so as to confine the water in dry seasons to one channel of a proper breadth to the quantity flowing. This shoal is composed of gravel and small stones, the average diameter of which is three inches.

From Griffith's Island to M'Mullen's, *Grand Bar* is the greatest to be met with in the channel between these places. This shoal is situated between Pine and Campbell's Islands, and is occasioned by the formation of a gravel island in the middle of the stream where the bed of the river extends over too great a surface. The deepest channel is to be found on the western side of Campbell's Island.

In ascending the River from M'Mullen's to Riviere de Chute, there are ten rapids to be encountered; they are however generally so short, that a vessel having considerable way would be enabled to pass them ere her velocity was much checked.

Crossed at Riviere de Chute to a tow-path on the opposite side, as the channel can be best followed on the western bank to Hallet's, where the river must be re-crossed to the eastern side.

From Riviere de Chute to Hallet's there are numerous projecting rocks on the river, which are detrimental to the passage of timber rafts, particularly when the freshets subside. Boats however may pass round them without much difficulty, although attended with inconvenience and delay. In the rapid opposite the farm of Justice Morehouse there are several detached stones, which ought to be removed from the boat channel.

Proceeding from Hallet's to the confluence of the Tobique, there are two projecting rocks near Mr. Sissen's of considerable magnitude, termed the Tobique rocks, the height of which is about fifteen feet from the surface of the river, having deep water round their base; the tow path here wants considerable improvement.

At the confluence of the Tobique there are several rocks in the channel which can only be avoided by passing again to the western side of the river.

The entrance of the river Tobique does not present any very serious difficulty; its mouth however is at this season of the year rather narrow, but in the spring, its waters during the freshets overflow the interval banks; at its junction there is at this period about four feet depth of water.

Immediately above the confluence of the Tobique there is a bad bar and rapid, which must be passed on the western side. As on this shoal there are many rocks not easily avoided, a channel cut along the western bank of the river, about one quarter of a mile in length, would greatly facilitate the passage of boats.

Below the junction of the Restook the river shoals to two feet. This is occasioned by the too great breadth of its bed, which extends over a rocky and uneven surface. From Restook to Salmon river there are three rapids, in which there are some large detached stones which might be removed with little difficulty.

I found that the bend below Salmon river had the least breadth of water between Fredericton and the Great Falls—the breadth being only one hundred and twenty feet, the depth of water in the channel five feet; the surface velocity of current sixty six feet to twenty five seconds; the bottom gravel and small stones, whose average diameter are two inches. On the west there rises a gravel bank, which is abrupt, about fifty feet in height, and on the east a flat gravel beach of considerable extent.

The Black rapids and likewise those of De Femme, present no serious obstacles. However the rapid immediately above, known by the appellation of the White rapids, and which commences about two and one half miles below the Grand Falls, offer the greatest impediment to the navigation.

These rapids are occasioned by the waters flowing over the points of numerous rocks

## APPENDIX.

rocks and detached stones. The natural channel is on the west side of the river, where a permanent tow-path cannot be had, in consequence of an abrupt bank of eighty feet in height, composed of gravel and loose stones, quantities of which are continually falling into the river.

A path was formed here some time ago, but as might have been expected, the whole was soon destroyed by the shooting of the banks above.

The only method that suggests itself for avoiding this evil, would be to cut a channel on the opposite side of the river, where a permanent tow-path might be had; but to carry this undertaking into effect will be attended with considerable expense, in consequence of the rocky and uneven surface through which this channel must necessarily pass.

Above the heads of these rapids the banks and surrounding heights presents an amphitheatre, the bottom of which forms a basin, into which at some former period it seems probable that the waters of the river descended by a fall of much greater magnitude than the present cataract.

When this amphitheatre is fully entered, a narrow chasm may be discovered to the right, which conveys the water from the foot of the cataract to the basin, at the entrance of which the water is thirty three feet deep. At this place it is difficult to ascertain the velocity of the current from the numerous whirlpools, which also render its entrance dangerous for canoes. The sides of this chasm are extremely rugged, and the number of rocks with which its channel abound must tend greatly to retard or check the previously acquired velocity of the waters.

Although the Great Fall is situated only eight hundred yards above the mouth of this chasm, little or no noise of the cataract is heard, but the incessant murmurings of the White rapids below engender those feelings which accord with the seclusion of the place, and the mind is only diverted from those solitary sensations incident to such situations, by that anxiety which is naturally excited by the curiosity of the inquisitive traveller to witness the more imposing scenery of the Great Fall; a sight of which is, in this place, completely hid from view by intervening rocks.

Here ends the direct navigation of the river, which can at present only be continued by ascending a hill two hundred and forty feet, and thence descending one hundred and twenty feet to the basin situated above the falls, at which point my admeasurement terminated as directed by my instructions.

For further information I must therefore, at present, refer to the annexed Table, the same being the compiled results of my observations from this Survey.

The River Saint John from Fredericton to the Great Falls, I consider might be navigated by boats (furnished with steam propelling machinery, built for the purpose,) in the months of May, June, and part of July. From this period to the end of August or beginning of September, the water will be too shallow in many places (unless some improvements be made on the river) to float vessels drawing eighteen inches water with safety. In September navigation may be recommenced and continued for some time in November, say in all about five months in the year.

To render the navigation however certain and speedy, it would be necessary from the present state of the river, to have the vessel so constructed that one or two horses could be carried on board, and as circumstances required, landed on the shallow places where the waters are generally rapid, to assist the propelling machinery in overcoming with the least possible delay the resistance offered by the current.

In many of these rapids however, the distance is so short that the previously acquired velocity of the vessel will be sufficient, with the continued aid of the machinery, to enable her to pass those places without such assistance.

In many instances poling might be used to a great advantage, as the beds of the river generally afford an even gravel bottom, well adapted for this mode of propelling vessels (as suggested by His Excellency), which with regard to impulse, I conceive to be the most economical way of applying power. In this case the paddle shafts should project beyond the paddle wheels, so that on their outer ends cranks might be fixed, to which poles might be attached; the extreme ends of which might be raised or lowered at pleasure by means of levers connected with them for that purpose. By adopting this method, the poles might be used as auxiliary to the paddles on either of these propellants singly, as found most convenient.

In



## APPENDIX.

In passing up the rapids, it appeared to me that two long poles hinged to the outer ends of a cross projecting beam near the bow of the vessel would be of essential service, as the lower ends of the poles by fastening them in the bed of the river, might act as preventers to the boats making stern way between the reaction of the engine on the paddles or poles; and a vessel so furnished might be retained in any position, having her bows up stream without the aid of anchors, and so situated, she might haul up other vessels, or make any necessary arrangements, and again proceed on her way without that loss of time and trouble incident to the use of ground tackles.

I conceive that by a simple appendage the common paddle wheel might be converted into a poling machine, and serve the double purpose of paddling and poling on those shoals hitherto noticed in a former part of this report. To accomplish this purpose, the arms of the wheel should have attached to them sliding pieces which would move to a certain extent beyond the paddles by their own gravity, as the wheel revolved, so that in shallow places these pieces would slide out from their lower arms until they came in contact with the bottom, their action against which would propel the vessel forward as the wheel performed its revolutions. Little danger is to be apprehended from the breaking of these propelling pieces, as they would slide into their grooves or sockets so as to fit themselves exactly to the necessary depths.

In the Maductic and in the White Rapids, I am afraid poling cannot be employed to great advantage, as the bottom in those places are very uneven, and smooth flat stones occasionally present a bad surface for poles to take effect. In those places therefore, chains or ropes may be fastened in such a manner that vessels might be hauled up in the direction of the channel by means of a winch or revolving cylinder driven by the steam engine on board. This mode however will be often attended with considerable delay and trouble, arising from the many windings of the channel.

On the whole, my general opinion is, that the River Saint John would require to be considerably improved in its channel and tow-path to render navigation by steam certain in operation, and lucrative in the result to speculators; at the same time I am firmly persuaded that this section of the river which has been under observation and comment, is capable, from the many natural advantages obviously possessed, of receiving the greatest improvement from art; the effects of which when fully carried into operation will, by opening an incredible distance of internal navigation from the numerous tributary navigable streams that intersect the country, present a wide field for the exertions of the agriculturist, infuse into the mercantile body the spirit of enterprise, and by increasing the present population through the medium of industry, render us at once a contented and happy people, enjoying the blessings of freedom, together with every other advantage so bountifully conferred upon us by the beneficent Creator of the universe.

The lands on the river are generally good, the soil for the most part being composed of a fine rich loam, which even when but imperfectly cultivated yields excellent crops. The large tracts of interval to be met with on the banks of the river may be considered as early alluvion deposits composed of the richest earths, many of which are still enriched by the annual inundations.

The banks on both sides of the river seem, with few exceptions, to be every where as thickly settled as those from Saint John to Fredericton. From Tobique to Salmon river the settlements are fewer and more remote from each other; from Salmon river to the Great falls, a distance of nearly seven miles, there are no settlements.

Having ascertained the courses of the river by observations with the magnet, the distances by actual admeasurement, and the ascent by levelling, I am now prepared to draw plans of the same, or of such sections as your Honor may be pleased to direct.

I have the honor to be, Sir,

Yours most respectfully,

ROBERT FOULIS,  
*Civil Engineer and Deputy Surveyor.*

To the Honorable Samuel Proudfoot Hurd,  
Surveyor General of the Province of New Brunswick.

## A TABULAR VIEW

OF THE

# RIVER SAINT JOHN,

# FROM FREDERICTON TO THE GREAT FALLS.

<i>Distance of Places.</i>	<i>Ascent from level.</i>	<i>Links.</i>	<i>Chains</i>	<i>Miles.</i>
From Fredericton to the Confluence of Tide below Chapel Bar,.....				4
From confluence of Tide to French Chapel, From French Chapel to Cliff's Bar,.....				5
From Cliff's to head of Bear Island Bar,....				7
From Bear Island to Nackawickac,.....				5
From Nackawickac to Meductic,.....				8
From Meductic to Eel River,.....				4
From Eel River to Griffith's Island,.....				9
From Griffith's Island to Mc'Mullan's,.....				9
From Mc'Mullan's to Presqu' Isle,.....				12
From Presqu' Isle to Rivier de Chûte,.....				8
From Rivier de Chûte to Tobique,.....				14
From Tobique to Great Falls,.....				12
				21
Total distance,				125

Perpendicular height of Great Fall, 74 feet.	Height of Hill at Portage from level of Upper Basin, 120 ft. 7 in.	Depth of water in Upper Basin, 20	Tun- Ba-
Descent through Rocky Chasm, 45 feet 6 inches.	Height of Hill at Portage from level of Lower Basin, 240 ft. 1 in.	Depth of water in Lower Basin, 33	
Total descent of Falls, 119 feet 6 inches.			



# INDEX.

1837-8.

Address of Condolence to Her Majesty on the death of His late Majesty King William the Fourth, and of Congratulation on accession of Her present Most Gracious Majesty to the Throne of Her Ancestors, 45.

" to Her Majesty praying that Her Majesty will be pleased to direct that the exaction of certain oaths of office may be dispensed with, 64.

Address to the Governor in answer to Speech, Moved, 8. Committee appointed, 8. Order of the Day, 8. Reported, 13. Committee of the whole, 14. Presented 17.

" " " praying him to direct that the principal officers of Her Majesty's Customs at Saint John to have prepared, in order that they may be laid before the House, accounts of the imports and exports of that port and its out bays and all duties collected under the different Acts of the Imperial Parliament, and of the Registry of Vessels at said Port for the year ending 1837; and further, that he will be pleased to direct the same information to be prepared by the Collector and Controller of Her Majesty's Customs at the Port of Saint Andrews, 19. Answer thereto, 21.

" " " praying that His Excellency will be pleased to transmit the Resolutions of the Legislature, respecting the insurrection in Canada, to Sir Francis Bond Head, Lieutenant Governor of Upper Canada, 28.

" " " praying for copies of the different forms of Marriage Licence; also copies of the Marriage Licences issued to parties, and a copy of all rules or regulations required to be observed by Ministers and Clergymen applying for a Licence to celebrate Marriage, 30. Answer thereto, 37.

" " " praying that His Excellency will be pleased to cause to be laid before the House, at as early a day as convenient, a return of the aggregate amount of Her Majesty's Casual and Territorial Revenues in this Province, together with information in relation thereto, 50. Answer thereto, 59.

" " " praying for an account of the income and expenditure of King's College for the year 1837, with the number and names of the Professors, and number and names of the Students, &c.; also a statement of the quantity of Land belonging to the said College; also account of debts and copy of Royal Charter of the same, 51. Answer thereto, 59. See Appendix, No. 9, and 10.

" " " praying a return of the lots, tracts and parcels of Land granted or reserved for Churches and Schools in this Province, specifying in what County, dates of Grants or Reservations, with the number of acres in each, 63. Answer thereto, 66. See Appendix, No. 12.

" " " praying him to bring the subject of the Survey of the Bay of Fundy again under the consideration of Her Majesty's Government, 61. Answer thereto, 66.

" " " requesting that he will be pleased to direct the Sheriff of the County of Carleton to make out a statement in detail of the amount of money collected by him as Sheriff as aforesaid for fines inflicted by the Justices of the said County, &c., 117. Answer thereto, 131.

" " " praying for an account of all fees and perquisites of office received by the Administrator of the Government, the Commissioner of Crown Lands, Surveyor General, Secretary of the Province, the Registrar of the Province and Receiver General, respectively, also amount of fees received by the Judges of the Supreme Court; Also amount of fees received by Clerk of the Pleas, fees received by the Clerk of the Crown and Clerk of Circuits, and Clerk of the Crown in Chancery for the year ending 1st January, 1838, 118. Answer thereto, 127. See Appendix, No. 16.

- 
- Address to the Governor praying for an account of all and every the proceedings on behalf of the Crown against the Estate of the late Receiver General of this Province or against his sureties, shewing the balance claimed by the Crown, &c., 130. Answer thereto, 134. See 145.
- ” ” ” praying him to direct to be laid before the House the Reports of the Deputy Commissioners of Crown Lands, shewing the excess of timber and Logs cut under the different Licences over the quantity allowed to be cut under such Licences, the amount of stumpage received for such excess for the two years past ending 31st December last, 131. Answer thereto, 139. See Appendix, No. 3.
- ” ” ” praying that he will be pleased to cause a line to be surveyed and marked out from the south point of Spoon Island, due north east, till it strikes the western boundary line of the County of Westmorland; And also a line from the said south point due south west, to the south west line of Merritt's Manor, thence north westerly to Andrew Hamilton's location, and from thence due south west to the eastern boundary line of the County of Charlotte, with a view to ascertain the division between King's and Queen's Counties, 132. Answer thereto, 139. Grant for, 195.
- ” ” ” praying that he will be pleased to communicate a copy of the Address of the 17th January, respecting a survey of the Bay of Fundy, to the Lieutenant Governor of Nova Scotia, with a request that he will bring the subject under the consideration of the Legislature of that Province, 135. Answer thereto, 198.
- ” ” ” praying that he will direct the Law Officers of the Crown to lay before the House their respective opinions as to the legal construction of the Marriage Act &c., 160. Answer thereto, 164.
- ” ” ” requesting that he will be pleased to direct that a competent person be employed to make a further exploration of the new Road leading from Fredericton to Westmorland, passing the head of Grand Lake; Also of the newly proposed Road extending from the first mentioned road to the head of the tide of Richibucto River, 177. Answer thereto, 201.
- ” ” ” praying him to adopt measures respecting Lands reserved for Indians in the County of Kent, 187. Answer thereto, 201.
- ” ” ” praying him to appoint Commissioners to make a thorough exploration of a Road from Miramichi to the head of Grand Lake, 190. Answer thereto, 198.
- ” ” ” praying him to appoint Commissioners to explore the Roads on both sides of the River Saint John which lies between the Ferries at Burgoyne's, in the County of York, and Patchell's, in the County of Carleton, and to report thereon next Session, 198. Answer thereto, 207.
- ” ” ” praying him to appoint Commissioners in the County of Northumberland to protect and report on Indian Reserves, 199. Answer thereto, 210.
- ” ” ” praying that he will be pleased to adopt such measures as will prevent the delay of the Custom House Returns being laid before this House in due time, 207. Answer thereto, 214.
- ” ” ” praying him to appoint Commissioners to superintend the affairs of the Indian Tribes in the County of Gloucester, 219. Answer thereto, 231.
- ” ” ” praying that a competent person may be appointed to select a proper site for a Bridge over the Aristook River in the County of Carleton, &c., 223. Answer thereto, 236.
- ” ” ” praying him to appoint a Commissioner or Commissioners to explore and lay out a line of Road between the settlement of Little Rock and Eel River Bridge, in the County of Gloucester, 225. Answer thereto, 232.
- ” ” ” praying him to bring the aggressions committed by American fishermen in the Bay of Fundy under the notice of Her Majesty's Government, 229. Answer thereto, 232.

- Address to the Governor praying him to have the River Saint John above Fredericton scientifically and practically explored, and the results laid before the House at the next Session of the General Assembly, provided that the expense shall not exceed the sum of £250. See page 230. Answer thereto, 232.
- " " " praying him to appoint Commissioners to explore a line of Road in the County of Carleton, leading from the Jacksontown Road through the Williamstown settlement, &c., provided that the expense do not exceed twenty five pounds, 230. Answer thereto, 237.
- " " " praying him to direct a line of Road to be explored and laid out from the Red Rock settlement on the River Magaguadavic to the Nerepis Road in Queen's County, 230. Answer thereto, 232.
- " " " praying that the Licences in all cases where bonds have not been given and also where the condition of the bonds are not complied with, be cancelled, and that measures be taken to enforce payment of all arrearages due for timber and logs cut on said Licences and Reserves, 231. Answer thereto, 232.
- " " " praying him to adopt measures respecting unclaimed Grain Bounties. (See Resolution), 233. Answer thereto, 238.
- " " " praying that he will be pleased on receiving notice of the completion of the Dredging Machine, to appoint one or more Commissioners to expend a sum not exceeding £300 towards the accomplishment of the object contemplated, 233. Answer thereto, 236.
- " " " praying that he will be pleased to appoint a Commissioner to explore and mark out a Road from the upper bridge across the Magaguadavic River, near Brockway's, to the lower bridge across the Saint Croix, 233. Answer thereto, 238.
- " " " praying him to appoint three competent persons to examine and explore a new line of Road leading from Nova Scotia to Saint John, and to the Parish of Dorchester, County of Westmorland, 236. Answer thereto, 237.
- " " " authorising him to draw the sum of ten thousand pounds from the Province Treasury in the event of any disturbances arising from the present state of affairs on the Canadian Frontier, 237.
- " " " praying him to transmit the Resolutions of House relative to the Address from the Montreal Constitutional Association, to Her Majesty's Government, to be laid at the foot of the Throne, 240. Answer thereto, 242.
- " " " praying him to appoint Commissioners to select the best site for a Provincial Lunatic Asylum, &c., 240. Answer thereto, 241.

Address from the Constitutional Association of Montreal, 40. See Resolutions laid on Table, 63. See 66. Order of the day, 207. See Resolutions, 238.

Accounts, Public and Private. See Committee.

Assurance Company, New Brunswick. Returns from, 80. See Appendix, No. 1.

Assessments for Poor for the year 1836. Returns from the Clerks of the Peace for the different Counties laid before the House by Mr. Speaker, 20.

Audit, Board of. See Despatch from Secretary of State, 36. Reports from, 30, 97, 105, 139, 148. Committee appointed, 68. Reported, 166. Order of the day, 203, 214. See Resolution, 214. Committee appointed to wait on His Excellency with copy of the Resolution of the Committee of the whole, 233. See Appendix.

Advancement of Justice, See Bills, No. 12, 101.

Alms House, &c., Saint John, " " No. 66.

Annuity to old Soldiers, " " No. 19.

Appropriations. Ordinary Services, " " No. 87.

" Services therein mentioned, " " No. 89.

" Roads and Bridges, " " No. 88.

Appointment of Sheriffs, and Supervisors of Great Roads, " " No. 102.

Assessment of County and Parish Rates, " " No. 24.

" to pay off Gloucester County debt, " " No. 73.

" to pay off Charlotte County debt, " " No. 4, 25.

" to pay off Carleton County debt, " " No. 42.

Abrams, William &c. and 93 others,	Petition from, No. 122.
Adams, Isaac,	" " No. 316.
Akerman, Cornelius,	" " No. 43.
Allen, Peter,	" " No. 71.
Allan, James and 19 others,	" " No. 189.
Andrew, Rev. W. &c. and others,	" " No. 85.
Abbleby, James,	" " No. 86.
Archibald, Rev. Robert &c. and 118 others,	" " No. 107.
Armstrong Thomas and 190 others,	" " No. 109.
Ash, Robert,	" " No. 61.
Assurance Company, New Brunswick, President &c.,	" " No. 198.
Atkinson, Ralph and 55 others,	" " No. 96.
Austin, Martin,	" " No. 15.

**B**

Bank Returns, from Commercial,	10.	} See Appendix.
" " from Central,	20.	
" " from City,	20.	
" " from Charlotte,	20.	
" " from Saint Stephen's,	20, 54.	
" " from Bank of New Brunswick,	29.	
Bay of Fundy, Survey of. See Address to the Governor, 61. See 135, 199.		
" " " See Despatch from Sir Colin Campbell, 199.		
Baillie, Honorable Thomas, his salary &c. See Extract of Despatches, 81.		
Bliss, Henry, Esquire, letter of thanks from, 11.		
Bliss, George P., late Receiver General. See Address to the Governor, 130. See Answer thereto, 134. See Report, 145. See Resolution of Committee, 208.		
Bills and Petitions, limitation for bringing in, 9.		
Boundary Line between this Province and the State of Maine. See Message from the Governor, with Extract of Despatch from Lord Glenelg, 61.		
Bye and Great Roads. See Report of Committee, 186. Appendix, No. 7.		
Bye Roads, Grants for. See Roads.		
Board of Audit. See Audit.		
Bridge across the Musquash River. See Resolution, 237.		
Bank of Miramichi,	See Bills, No. 1.	
Bank Saving's, Charlotte County,	" " No. 8.	
Banks, Stockholders and Directors of,	" " No. 16.	
Bank, City of Saint John,	" " No. 28.	
Bank, Charlotte County, increase of Capital,	" " No. 35.	
Bank Notes &c.,	" " No. 46.	
Bank Stock, Limitation,	" " No. 52.	
Banking Privileges, abuse of,	" " No. 70.	
Bills of Exchange and Promissary Notes,	" " No. 98.	
Bliss, George P., late Receiver General,	" " No. 105.	
Bounty on Grain, &c.,	" " No. 72.	
Bate, Sarah,	Petition from, No. 104.	
Baldwin, John,	" " No. 111.	
Bank, Charlotte County, President &c.,	" " No. 140.	
Bartlett, Richard,	" " No. 262.	
Beckwith, John C.,	" " No. 243.	
Bedell, John, Junior and others,	" " No. 288.	
Bell, John and 75 others,	" " No. 130.	
Black, John,	" " No. 275.	
Birkmyre, Rev. John &c. and 75 others,	" " No. 157.	
Boyle, Susan,	" " No. 324.	
Botsford, Honorable William and others,	" " No. 247.	
Black, Thomas H.,	" " No. 302.	
Booth, Lieutenant Colonel, and Officers 43d Regt.,	" " No. 79.	
Bradley, James and others,	" " No. 333.	
Brown, James P. &c. and 157 others,	" " No. 40.	
Brenan, William,	" " No. 75.	
Brown, George and 137 others,	" " No. 241.	
Brewer, John and others,	" " No. 249.	
Bruce, David,	" " No. 268.	
Bridge Company, Saint John,	" " No. 320.	
Budd, Richard,	" " No. 10.	
Burnett, Thomas,	" " No. 30.	
Buckett, Mary,	" " No. 124.	

Busteed, John and N. W.,  
Burke, Patrick,

Petition from, No. 223.  
" " No. 245.

### Bills.

1. **Miramichi Bank,** Bill to incorporate sundry persons by the name of The President, Directors and Company of the Miramichi Bank. Leave granted, 7. Petitions for, 56, 60, 61, 65. First reading, 10. Second reading, 12. Progress reported, 17. Agreed and engrossed, 85. Third reading and sent up, 88. Amended by Council, 105. Agreed to and returned, 112. Passed with a suspending clause, 243.
2. **Marriage by Dissenting Ministers.** See Bills, No. 103. " to repeal an Act, intituled " An Act to extend the privilege of solemnizing Marriage to all ministers or teachers of the several Religious Congregations in this Province," and to provide for the future solemnization of Matrimony. Leave granted, 10. First reading, 17. Second reading, and fifty copies ordered to be printed for the use of Members, 19. See Message, 45. Postponed until next General Assembly, 46. See page 160.
3. **Expenses of the Speaker, &c. of House of Assembly.** See Bills, No. 86. " to provide for the expenses of the Legislature, and for other purposes therein mentioned. Leave granted, 11. First reading, 66. Second reading, 67. Progress reported, 106. See division on first and second Sections, 147. Progress reported, 148. Division on filling up blank in second Section negatived, 149. Title amended, 149. Sum limited, and agreed and engrossed, 149. See 150. Third reading and sent up, 151. Concurred in by Council, 185. Passed, 243.
4. **Charlotte County Debt.** See Bills, No. 25. " to authorize the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt. Leave granted, 13.
5. **Wharfage and Cranage.** See Bills, No. 95. " to repeal the laws relating to Wharfage and Cranage, and for establishing rates of Wharfage and Cranage on Ships and other Vessels, and on Merchandize. Leave granted, 13. First reading, 20. Bill to be printed, and fifty copies furnished to Members, 20. Second reading, 21. See Petition, 54. Postponed to next General Session of the Assembly, 135.
6. **Civil Suits before Justices of the Peace.** " in addition to and explanatory of an Act, intituled " An Act to regulate proceedings before Justices of the Peace in Civil Suits." Leave granted, 13. First reading, 74. Second reading, 84. Progress reported, 87. Agreed and engrossed, 92. Third reading and sent up, 95. Amended by Council, 189. Agreed to and returned, 192. Passed 242.
7. **Portland Parish, division of.** " to erect a part of the Parish of Portland into a separate and distinct Town or Parish. Leave granted, 14. First reading, 27. Second reading, 28. Agreed and engrossed, 94. Third reading and sent up, 95.
8. **Charlotte County Savings Bank.** " relating to the Charlotte County Savings Bank. Leave granted and first reading, 17. Second reading, 19. Progress reported, 27. Agreed to and engrossed, 33. Third reading and sent up, 42.
9. **Oaths of Office.** " relating to Oaths of Office. Leave granted, 19. First reading, 20. Second reading, 21. Agreed to and engrossed, 32. Third reading and sent up, 34. See Address to Her Majesty, 64.
10. **Parish of Hopewell and Salisbury, division of.** " for erecting parts of the Towns or Parishes of Hopewell and Salisbury, in the County of Westmorland, into a separate Town or Parish. Petitions for, 76. Leave granted, 20. First reading, 20. Second reading, 21. Progress reported, 24. Agreed to and engrossed, 93. Third reading and sent up, 95. Concurred in by Council, 109. Passed 243.



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- BILLS, Continued.**
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| 11. Civil Government of this Province.                                  | " to make perpetual an Act, intituled " An Act for the support of the Civil Government of this Province." Leave granted, 20.  |
| 12. Amendment of Law and advancement of Justice.<br>See Bills, No. 101. | " in addition to an Act for the amendment of the Law and the better advancement of Justice. Leave granted and first reading, 20. Second reading, 21. Agreed to and engrossed, 31. Third reading and sent up, 34.  |
| 13. Saint John Mills and Manufacturing Company.                         | " to incorporate the Saint John Mills and Manufacturing Company. Petition for, 22. Leave granted and first reading, 22. Second reading, 23. Agreed to and engrossed, 31. Third reading and sent up, 42. Amended by Council, 105. Agreed to and returned, 112. Passed, 243.  |
| 14. Peticodiac Wet Dock Company.  | " to incorporate The Peticodiac Wet Dock Company. Leave granted and first reading, 22. Second reading, 23. Agreed to and engrossed, 32. Third reading and sent up, 50. Amended by Council, 105. Agreed to and returned, 112. Passed, 243.   |
| 15. Gaspereau Fishery, Miramichi.<br>See Bills, No. 68.                 | " in addition to and in amendment of an Act, intituled " An Act to protect the Gaspereau Fishery in the Harbour and River of Miramichi." Leave granted and first reading, 22. Second reading, 23. Postponed until the next Session of the General Assembly, 33.   |
| 16. Stockholders and Directors of Banks.                                | " to authorize the Stockholders of any incorporated Bank to reduce the number of Directors. Leave granted, 23. First reading, 33. Second reading, 33. Title altered, to lessen the number of Directors of the Bank of New Brunswick, agreed to and engrossed, 39. Third reading and sent up, 50.  |
| 17. Gates and Fences, Deer Island.                                      | " to provide for the erection of Fences with Gates across the Highways on Deer Island, in the Parish of West Isles, in the County of Charlotte. Leave granted, 24. First reading, 24. Second reading, 28. Agreed to and engrossed, 33. Third reading and sent up, 50. Concurred in by Council, 69. Passed, 243.   |
| 18. Militia.  | " in addition to and in amendment of an Act, intituled " An Act to repeal all the Laws now in force for the organization and regulation of the Militia, and to make further provision for the same." Reported by Committee and first reading, 23. Second reading, 31. Progress reported, 47. Postponement for three months negatived, 48. See page 49, 55. Agreed to and engrossed, 56. Third reading, ryder added, division on, and sent up, 63. Concurred in by Council, 69. Passed 79. |
| 19. Annuity to Old Soldiers.  | " to provide for an annuity to old Soldiers within this Province, engaged in the American Revolutionary War. Leave granted, 31.   |
| 20. Jurors and their Qualification.                                     | " to amend an Act, intituled " An Act for regulating Juries and declaring the qualification of Jurors." Leave granted, 31. First reading, 57. Fifty copies to be printed for the use of Members, 57. Second reading, 60. Postponed until the next Session of the General Assembly, 153.   |
| 21. Chamber of Commerce, Saint John.                                    | " for the incorporation of the Saint John Chamber of Commerce. Leave granted and first reading, 32. Second reading, 33. Agreed to and engrossed, 39. Third reading and sent up, 50.   |
| 22. County of Carleton, Lock-up House, Tobique.                         | " to repeal an Act, intituled " An Act to authorise the Justices of the Peace for the County of Carleton to assess the said County for the erection of a Lock-up House at Tobique, in the said County." Leave granted, 32. First reading negatived, 125.  |
| 23. Parish of Saint George, division of.                                | " to erect a part of the Parish of Saint George in the County of Charlotte, into a separate and distinct Town or Parish.  |

**BILLS, Continued.**

- Leave granted, 32. First reading, 33. Second reading, 38. Negatived, 64.
24. Assessment of County and Parish Rates. " to provide for the assessment of County and Parish Rates. Leave granted, 33. First reading, 49. Second reading, 53. Fifty copies to be printed for the use of Members, 61. Progress reported, 89. Agreed to and engrossed, 125. Third reading and sent up, 131. Amended by Council, 214. Agreed to. See pages 214, 215, 216, 217, 218. Third reading and returned, 221. Passed, 242.
25. Charlotte County Assessment. See Bills, No. 4. " to authorize the Magistrates of the County of Charlotte to levy an assessment to pay off the County debt. Leave granted, 33. First reading, 33. Second reading, 38. Agreed to and engrossed, 53. Third reading and sent up, 60. Concurred in by Council, 115. Passed, 243.
26. Ferry and Public Landing, Indian Town. " more effectually to regulate the Ferry and Public Landing in front of Indian Town, in the Parish of Portland, County of Saint John. Leave granted, 34. First reading, 67. Second reading, 71. Agreed to and engrossed, 108. Third reading and sent up, 112.
27. Inspection of County Accounts by Grand Jurors. See Bills, No. 77, 80. " to amend an Act, intituled " An Act to authorize the Grand Juries in the several Counties within this Province to inspect the Public Accounts. Leave granted and first reading, 38. Second reading, 38. Progress reported, 53. Agreed to and engrossed, 87. Third reading and sent up, 88.
28. City Bank, Saint John, Directors of. " to authorize the Stockholders of the City Bank at Saint John to lessen the number of Directors. Leave granted, 42.
29. Saint Andrews Water Company. " to incorporate The Saint Andrews Water Company. Leave granted, 50. First reading, 50. Second reading, 53. Progress reported, 60. Agreed to and engrossed, 65. Third reading and sent up, 73.
30. Gaol Limits, Fredericton. " to authorize the extension of the Gaol Limits in the Parish of Fredericton. Leave granted and first reading, 53. Second reading, 53. Agreed to and engrossed, 58. Third reading and sent up, 60. Amended by Council, 100. Agreed to and returned, 103. Passed, 243.
31. Parishes of Douglas and Stanley, Division Line. See Bills, No. 82. " to alter the division line between the Parishes of Douglas and Stanley, in the County of York. Petition for, 48. Leave granted, 53. First reading, 58. Second reading, 60. Agreed to and engrossed, 66. Third reading and sent up, 73.
32. Tavern Keepers and Retailers. " to amend an Act, intituled " An Act to regulate Tavern Keepers and Retailers." Leave granted, 55. First reading, 78. Second reading, 84. Title amended, in addition to and in amendment of an Act, &c., 127. Agreed to and engrossed, 127. Third reading and sent up, 131. Amended by Council, 176. Agreed to and returned, 176. Passed, 243.
33. Highways. " to alter and amend, and in addition to an Act for regulating, laying out, and repairing Highways. Leave granted and first reading, 55. Second reading, 58. Postponed for three months, 93.
34. Northesk, division of Parish. " to erect a part of the Parish of Northesk in the County of Northumberland, into a distinct and separate Parish. Petition for, 53. Leave granted and first reading, 54. Second reading, 58. Agreed to and engrossed, 88. Third reading and sent up, 88.
35. Charlotte County Bank, in crease of Capital. " to increase the Capital Stock of the Charlotte County Bank, and to make more effectual provision for the regulation of the same, and to extend the term of its Charter. Petition for, 58. Leave granted, 58. First reading, 69. Second reading, 70. Progress reported, 88. See division on, 89.

*BILLS, Continued.*

- Title amended, agreed to and engrossed, 89. Third reading and sent up, 94. Amended by Council, 115. Agreed to and returned, 116. Passed with a suspending clause, 243.
36. King's College, Fredericton, and Grammar Schools in King's and Queen's Counties. See Bills, No. 57. "to amend an Act, intituled "An Act for the endowment of King's College at Fredericton, in the Province of New Brunswick; and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the Grammar School in King's County. Leave granted and first reading, 59. Second reading, 60. Title altered "relating to Grammar Schools in King's and Queen's Counties," agreed to and engrossed, 66. Third reading and sent up, 73. Passed, 243.
37. County of York General Sessions and Common Pleas. "for altering the time of holding the June Term of the General Sessions of the Peace and inferior Court of Common Pleas for the County of York. Leave granted and first reading, 61. Second reading, 65. Agreed to and engrossed, 93. Third reading and sent up, 95.
38. Forgery. "in addition to the Act for defining the crime of Forgery. Sent down by Council and first reading, 61. Second reading, 65. Order of the day, 85. Third reading and returned, 87. Passed, 242.
39. County Carleton Mining Company. "to incorporate the Carleton Mining Company. Leave granted, 62. Petition for, 62.
40. Highways and Roads, Woodstock. "to alter and amend an Act for laying out and repairing Highways and Roads, so far as relates to Woodstock in the County of Carleton. Leave granted, 64. First reading, 100. Second reading, 103. Agreed to and engrossed, 126. Third reading and sent up, 131.
41. Streets and Squares, Saint John. "to continue the Act relative to the Streets and Squares of the City of Saint John. Leave granted and first reading, 64. Second reading, 65. Agreed to and engrossed, 89. Third reading and sent up, 92. Concurred in by Council, 115. Passed, 243.
42. County of Carleton assessment. "to authorize the Justices of the Peace of the County of Carleton to levy an assessment to pay off the County debt. Petition for, 99. Petition against, 100. Leave granted, 65. First reading, 99. Second reading, 103. Division on postponement, 135. Title amended, 136. Agreed to and engrossed, 136. Third reading and sent up, 146. Concurred in by Council, 164. Passed, 243.
43. Saint John and Saint Croix River Canal Company. "in addition to an Act, intituled "An Act for the incorporation of the Saint John and Saint Croix River Canal Company." Leave granted and first reading, 66. Petition for, 70. Second reading, 67. Agreed to and engrossed, 98. Third reading and sent up, 103.
44. Wills. "for the amendment of the Law with respect to Wills. Sent down by Council and first reading, 66. Second reading, 67. Progress reported, 89. Agreed to and order of the day, 94. Third reading and returned, 96. Passed, 242.
45. Loan from Fire Insurance Company. "to authorize the Treasurer of the Province to pay off the Loan from the New Brunswick Fire Insurance Company. Leave granted, 66. First reading, 66. Second reading, 67. Agreed to and engrossed, 93. Third reading and sent up, 94. Concurred in by Council, 109. Passed, 243.
46. Bank Notes, &c. "relating to Bank Notes and other evidences of debt. Leave granted and first reading, 67. Second reading, 71. Postponed for three months, 86.
47. County Carleton, boundary line between the Parishes of Woodstock and Wakefield. "to alter the boundary line between certain Parishes in the County of Carleton. Leave granted, 69. Petition for, 46. First reading, 99. Second reading, 103. Title amended, 124. Agreed to and engrossed, 124. Third

**BILLS, Continued.**

- reading and sent up, 126. Amended by Council, 150. Agreed to and returned, 163. Passed, 243.
48. Public Landings and Squares in Fredericton. " relating to Public Landings and Squares in Fredericton. Petition for, 78. Leave granted, 69. First reading, 78. Second reading, 84. Agreed to and engrossed, 126. Third reading and sent up, 131.
49. Gagetown and Hampstead Parishes, division of. " to erect a part of the Parishes of Gagetown and Hampstead, in Queen's County, into a separate and distinct Town or Parish. Leave granted, 70. First reading, 79. Second reading, 84. Agreed to and engrossed, 109. Third reading and sent up, 113. Amended by Council, 185. Agreed to and returned, 187. Passed, 243.
50. Nightly Watch and Lighting the City of Saint John, &c. " more effectually to provide for the support of a Nightly Watch in, and for Lighting the City of Saint John, and for other purposes. Petition for, 70. Leave granted and first reading, 70. Second reading, 73. Agreed to and engrossed, 94. Third reading and sent up, 95.
51. County Charlotte, division of. " to divide the County of Charlotte into two Counties. Petition for, 53. Leave granted and first reading, 71. Second reading, 73. Postponed for six months, 120.
52. Limitation of Bank Stock. " to limit the amount of Stock to be holden by any Stockholder in any Banking Corporation therein mentioned. Leave granted, 72. First reading, 72. Second reading, 73. Agreed to and engrossed, 86. Third reading and sent up, 87.
53. Newcastle River, Queen's County. " to prevent the obstructing of the navigation of the Newcastle stream, in Queen's County. Petition for, 24. Leave granted, 72. First reading, 78. Second reading, 84. See title altered, 100. Agreed to and engrossed, 100. Third reading and sent up, 107. Concurred in by Council, 129. Passed, 243.
54. New Brunswick Marine Assurance Company. " to amend an Act, intituled " An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company." Leave granted and first reading, 73. Second reading, 85. Third reading and sent up, 95.
55. Saint Andrews and Saint John Stage Company. " for the incorporation of the Saint Andrews and Saint John Stage Company. Petition for, 74. Leave granted, 74. First reading, 86. Second reading, 86. Agreed to and engrossed, 93. Third reading and sent up, 95. Amended by Council, 115. Agreed to and returned, 116. Passed, 243.
56. New Brunswick Fire Insurance Company. " to amend the Act incorporating the New Brunswick Fire Insurance Company. Petition for 73, 81. Leave granted and first reading, 74. Second reading, 84. Agreed to and engrossed, 133. Third reading and sent up, 136. Passed, 243.
57. King's College and Grammar Schools, Northumberland. See Bills, No. 36. " in addition to and in amendment of " An Act for the endowment of King's College at Fredericton in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," so far as the same relates to the County of Northumberland. Leave granted and first reading, 74. Second reading, 84. Title amended, 110. Agreed to and engrossed, 110. Recommitted, 113. Amended and engrossed, 113. Third reading and sent up, 126. See Petition, 331.
58. House of Correction, Saint John. " to authorize the Justices of the Peace for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same. Petition for, 74. Leave granted and first reading, 74. Second reading, 84. Agreed

**BILLS, Continued.**

- to and engrossed, 92. Third reading and sent up, 95. Amended by Council, 115. Agreed to and returned, 115. Passed, 243.
59. King's County Representation. " to increase the Representation of King's County. Petition for, 75. Leave granted and first reading, 75. Second reading, 84. Postponement until next Session of the General Assembly negatived, 101. Division on, and postponed for six months. See 101.
60. Dog Tax, County Charlotte and Northumberland. " to authorize the Magistrates of the County of Charlotte to impose a tax on Dogs. Leave granted, 75. First reading, 75. Second reading, 84. Also in the County of Northumberland, 90. Agreed to and engrossed, 90. Third reading and sent up, 92.
61. Militia pay for services performed. " to provide for the payment of such Non-Commissioned Officers and Privates of the Militia as have performed, or who may hereafter perform garrison duty in this Province during the absence of Her Majesty's Troops. Leave granted, 76. First reading, 76. Second reading, 85. Postponed for three months, 178.
62. Corporation of Christ's Church, Fredericton, to sell Lands. " to enable the Rector, Church Wardens and Vestry of Christ's Church, Fredericton, to alienate certain Lands belonging to that Corporation. Petition for, 77. Leave granted and first reading, 77. Second reading, 84. Agreed to and engrossed, 105. Third reading and sent up, 106.
63. County of Westmorland, division of. " for the division of the County of Westmorland into two Counties, and to provide for the government and representation of the new County. Petition for, 77. Leave granted and first reading, 77. Second reading, 84. Progress reported, 105. Postponed for six months, 117.
64. Vaccination of Children. " to compel persons to Vaccinate their children in certain cases. Leave granted and first reading, 78. Second reading, 84. Postponed until next Session of the General Assembly, 146.
65. Great Roads. See Bills, No. 67, 84. " in addition to an Act, intituled "An Act relating to the Great Roads of Communication through this Province." Leave granted and first reading, 78. Second reading, 84. Progress reported, 110. Division on, and agreed to and engrossed, 164. Postponed for three months, 165.
66. Alms House, Infirmary, &c. Saint John. " to provide for the erection of an Alms House and Work House and public Infirmary in and for the City and County of Saint John. Petition for, 78. See also Petitions 79, 100. Leave granted, 78. First reading, 78. Second reading, 84. Agreed to and engrossed, 178. Third reading and sent up, 186. Concurred in by Council, 200. Passed, 243.
67. Great Roads. See Bills, No. 65, 84. " to amend an Act, intituled "An Act relating to the Great Roads of Communication through this Province." Leave granted, 80. First reading, 84. Second reading, 86. Postponed for three months, 178.
68. Fisheries, County of Northumberland. See Bills, No. 15. " to continue certain Acts relating to the fisheries in the County of Northumberland. Leave granted and first reading, 84. Second reading, 86. Agreed to and engrossed, 92. Third reading and sent up, 95. Concurred in by Council, 115. Passed, 243.
69. Fires, City Saint John. See Bills, No. 92. " further to amend an Act for the more effectual prevention of fires within the City of Saint John. Leave granted, 89. Petition for, 89.
70. Banking Privileges, abuse of. " the more effectually to prevent the abuse of Banking privileges. Rule dispensed with and leave granted, 90. First reading, 90. Second reading, 94. Agreed to and engrossed, 125. Third reading and sent up, 130. Amended by Council, 176. Agreed to and returned, 176. Passed, 243.

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- BILLS, Continued.*
71. Grand and Petit Jurors' pay. " to provide for the payment of Grand and Petit Jurors in the several Counties in this Province. Rule dispensed with, 90. Leave granted and first reading, 90. Second reading, 94. Postponement for six months negatived, 104. Progress reported, 104. Postponed for six months, 174.
72. Bounty on Grain, Grass and Clover seeds. " for granting Bounties for the encouragement of Agriculture. Presented by Agricultural Committee, and first reading, 92. Second reading, 94. Progress reported, 137. Postponed for four months, 148.
73. Gloucester County assessment. " to authorize Her Majesty's Justices of the Peace of the County of Gloucester to assess the said County for the purpose of paying off the County debt. Rule dispensed with and leave granted, 94. First reading, 94. Second reading, 99. Progress reported, 107. Postponed for three months, 165.
74. Parish of Wakefield, division of. " to erect the upper part of the Parish of Wakefield into a separate and distinct town or Parish. Rule dispensed with and leave granted, 99. First reading, 99. Second reading, 103. Agreed and engrossed, 117. Third reading and sent up, 126.
75. Cod and Scale Fisheries. " to encourage the inhabitants of this Province who are engaged in the Cod and Scale Fisheries. Petition for, 100. Reported by Committee, 102. First reading, 102. Second reading, 103. Progress reported, 147. Postponed for four months, 149.
76. Copy Rights. " for the protection of Copy Rights of original publications. Rule dispensed with and leave granted, 104. First reading, 117. Second reading, 125. Title amended to a Bill for the encouragement of Literature, 131. Agreed to and engrossed, 131. Third reading and sent up, 139.
77. Inspection of County Accounts by Grand Jurors.  
See Bills, No. 27, 80. " further to amend an Act, intituled " An Act to authorize the Grand Jurors in the several Counties within this Province to inspect the Public Accounts," so far as the same relates to the County of Charlotte. Rule dispensed with and leave granted, 105. First reading, 105. Second reading, 106. Postponed for three months, 128.
78. Desertion, &c. " in amendment of an Act, intituled " An Act to prevent desertion from His Majesty's forces, and to punish unlawful dealings with Soldiers or Deserters." Reported by Committee, 113. First reading, 113. Second reading, 113. Progress reported, 115. Agreed to and engrossed, 127. Third reading and sent up, 130.
79. Franking Letters by Members of Council and Assembly. " to authorize the Members of the Council and Assembly to Frank Letters by General Post during the Session of the Legislature. Rule dispensed with, and leave granted, 124. First reading, 124. Second reading, 125. Agreed to and engrossed, 128. Third reading and sent up, 133.
80. Inspection of Public Accounts by Grand Jurors of Charlotte County. See Bills, No. 27, 77. " to amend the Law relating to the inspection of Public Accounts by Grand Jurors, so far as relates to the County of Charlotte. Sent down by Council, 126. First reading, 126. Second reading, 128. Agreed to and order of the day, 128. Third reading and returned, 130. Passed, 243.
81. Pilots.  
See Petitions, No. 194. " in addition to an Act, intituled " An Act to make more effectual regulations relating to Pilots within this Province, so far as regards the County of Charlotte." See Petition for, 72. Reported by Committee, 127. First reading, 127. Second reading, 128. Title amended, 132. Agreed to and engrossed, 132. Third reading and sent up, 146. Concurred in by Council, 168. Passed, 243.
82. Division of parts of Parishes of Douglas and Saint Mary's.  
See Bills, No. 31. " for erecting a part of the Parish of Saint Mary's and Douglas, in the County of York, into a separate Town or Parish. Sent down by Council, 129. First reading, 129. Second reading, 130. " *An Act to repeal an Act, &c.*" See 178. Agreed to, and order of the day, 178. Third reading and returned, 185. Passed, 243.

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- BILLS, Continued.*
83. Orphan Benevolent Society, Saint John. " to incorporate the Saint John Orphan Benevolent Society. Rule dispensed with, leave granted and first reading, 132. Petition for, 132. Second reading, 135. Agreed to and engrossed, 137. Third reading and sent up, 146.
84. Great Roads.  
See Bills, No. 65, 67. " in addition to and in amendment of an Act relating to the Great Roads of Communication through this Province. Reported by Committee and first reading, 134. Second reading, 135. Third reading and sent up, 168.
85. Master of the Rolls, Court of Chancery. " to authorize the appointment of a Master of the Rolls in the Court of Chancery in this Province, and to provide for such officer. Reported by Committee, 138. First reading, 138. Second reading, 145. Progress reported, 173. Order of the day, 177. Postponement to next Session negatived, 189. Agreed to and engrossed, 189. Third reading and sent up, 191. Concurred in by Council, 214. Passed, 242.
86. Expenses of Legislative Council. See Bills, No. 3. " to provide for the expenses of Her Majesty's Legislative Council. See Resolution, 150. See amendment and division on, 150. Leave negatived, 151.
87. Appropriations, Ordinary Services. " to appropriate a part of the Public Revenue to the payment of the Ordinary Services of the Province. Leave granted, 154. First reading, 174. Second reading, 185. Agreed to and engrossed, 202. Third reading and sent up, 219. Concurred in by Council, 223. Passed, 242.
88. Appropriations, Roads and Bridges. " to provide for the opening and repairing Roads and erecting Bridges throughout the Province. Leave granted, 154. First and second reading, 203. Progress reported, 203. Agreed to and engrossed, 236. Third reading and sent up, 237. Concurred in by Council, 238. Passed, 242.
89. Appropriations, Services therein mentioned. " to appropriate a part of the Public Revenue for the Services therein mentioned. Leave granted, 163. Progress reported, 202, 214, 232. Agreed to and engrossed, 236. Third reading and sent up, 241. Concurred in by Council, 241. Passed, 242.
90. Revenue, Collection of.  
See Bills, No. 97. " further to amend an Act, intituled " An Act to provide for the collection of the Revenue of the Province." See 166, 187, 223. Passed, 242.
91. Saint John Water Company. " to explain and amend an Act to incorporate sundry persons by the name of The Saint John Water Company. Petition for, 125. Rule dispensed with, 174. Leave granted, 174. First reading, 174. Second reading, 185. Postponed until next Session of the General Assembly, 194.
92. Fires in City Saint John.  
See Bills, No. 69. " to repeal an Act, intituled " An Act for the more effectual prevention of Fires within the City of Saint John." See Petitions No. 289, 296, and 297. Reported by Committee, 174, and first reading, 174. Second reading, 185. Title amended, to repeal &c., 189. Agreed to and engrossed, 189. Third reading and sent up, 191.
93. Vessels with Passengers and Emigrants. " to amend an Act to regulate Vessels arriving from the United Kingdom with Passengers and Emigrants. Leave negatived, 176.
94. Physic and Surgery. " in addition to an Act, intituled " An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery." Rule dispensed with and leave granted, and first reading, 176. Second reading, 185. Postponed for three months, 203.
95. Wharfage and Cranage.  
See Bills, No. 5. " to amend an Act, intituled " An Act establishing the rates to be taken for Wharfage and Cranage of Ships and other vessels within the limits of this Province." Rule dispensed with, 186. See Petition, 54. Leave granted, 186. First and second reading, 186. Progress reported, 191. Agreed to and engrossed, 201. Third reading and sent up, 260.

- BILLS, Continued.**
- Amended by Council, 228. Agreed to and returned, 229. Passed, 243.
96. Duty on certain articles. " for imposing a duty on certain articles imported into this Province. Leave granted, 186. First reading, 187. Second reading, 191. Agreed to and engrossed, 200. Third reading and sent up, 218. Concurred in by Council, 223. Passed, 242.
97. Revenue, collection of.  
See Bills, No. 90. " to amend the Acts relating to the collection of the Revenue of this Province. Leave granted, 186. First reading, 186. Second reading, 187. Agreed to and engrossed, 194. Postponed for three months, 194.
98. Bills of Exchange and Promissory Notes. " to amend the Law relating to Bills of Exchange and Promissory Notes. Sent down by Council, 189. Second reading, 191. Postponed for three months, 194.
99. Circuit Courts, Gloucester and Queen's Counties. " to alter the times of holding the Circuit Courts in the County of Gloucester and Queen's County. Sent down by Council, 193. Second reading, 198. Agreed to and order of the day, 202. Third reading and returned, 206. Passed, 242.
100. Real Estate. " in addition to the Act regulating the sale of Real Estate seized and taken in execution. Sent down by Council, 193. Second reading, 198. Agreed to and order of the day, 202. Third reading and returned, 206. Passed, 242.
101. Law, amendment of.  
See Bills, No. 12. " for the further amendment of the Law. Sent down by Council, 193. Second reading, 198. Agreed to and order of the day, 201. Third reading and returned, 206. Passed, 242.
102. Sheriffs and Supervisors of Great Roads. " to alter the times for the appointment of Sheriffs and Supervisors of Great Roads. Sent down by Council, 200. First reading, 200. Second reading, 201. Agreed to and order of the day, 206. Third reading and returned, 211. Passed, 243.
103. Marriage.  
See Bills, No. 2. " to amend the Laws relating to the solemnization of Marriage. Sent down by Council, 200. First reading, 200. Second reading, 201. See page 211, 212. House in Committee on, 213. Order of the day, 213. Third reading and returned, 218. Passed with a suspending clause, 243.
104. Escheated Lands for Quit Rents. " to afford relief to those persons whose Lands have been escheated for non-payment of Quit Rents. Reported by Committee, 207. First reading, 207. Second reading, 211.
105. Estate of the late Receiver General. " for the settlement of the Estate of the late Receiver General of this Province. Committee appointed to prepare Bill, 208. Reported by Committee, 210. First reading, 210. Second reading, 211. House in Committee on, 213. Amended, agreed to and engrossed, 213. Third reading and sent up, 219. Concurred in by Council, 232. Passed, 243.
106. Duty on Timber, &c. at time of exportation. " to authorize the collection of duties upon Timber and Lumber cut from off Crown Lands, upon exportation thereof. Reported by Committee, 225. First and second reading, 225. Postponed until next General Assembly, 231. 200 copies to be printed and distributed, 231. See page 233.
107. Seized Lumber. " to throw the *onus probandi* upon the person or persons claiming property, where Logs, Timber or other wood shall be seized on behalf of the Crown. Reported by Committee, 225. First and second reading, 225. Postponed until next Session of the General Assembly, 231. See page 233.
108. Export duty on Timber, Lumber, &c. " to establish an export duty upon Timber, Lumber and other wood exported from this Province in lieu of the duty imposed upon Timber cut on Crown Lands. Leave granted and first reading, 231. Postponed until next Session of General Assembly, and 200 copies to be printed and distributed, 232. See page 233. See Appendix, No. 3.



- Committee to prepare Address in answer to Speech appointed, 8. Order of the day, 8. Reported, 13.
- “ of Privileges appointed, 8.
- “ on Roads of Communication appointed, 9. Reported, 87, 106. Referred to Committee of Supply, 106. See 134, 186.
- “ of Trade appointed, 9. Reported, 127, 202.
- “ to revise the Rules and Regulations of the House of Assembly appointed, 9. Reported, 14.
- “ on improving the Navigation of Rivers, Bays and Harbours, &c. appointed, 9. Members added, 117, 163. See Report, 174. See Resolution, 208.
- “ on expiring Laws appointed, 9. Reported, 27.
- “ on Light Houses appointed, 9. Reported, 105. Referred to Committee of Supply, 105. See 166. See Appendix, No. 7.
- “ of Finances appointed, 9. Reported, 240.
- “ on Agriculture appointed, 9. Reported, 91. Referred to Committee of Supply, 137.
- “ on all Petitions from old Soldiers appointed, 10. Reported, 139.
- “ on all Petitions from Licensed Teachers of Schools appointed, 10. Petitions referred to Committee of Supply, 151.
- “ on the Lumbering Interests of the Province appointed, 11. Reported, 96. See 128. Committee to prepare Bill, 129. Two hundred copies to be printed with the two Bills connected with this subject, 233. See Appendix, No. 3.
- “ on Fisheries appointed, 11. Reported, 101. See Appendix, No. 8.
- “ on all Petitions relating to double Head Money paid at the Treasury on Passengers appointed, 12. Member added, 99. Reported, 102.
- “ on publication of the Debates of the House appointed, 13. Reported, 14. See Resolutions, 19, 241.
- “ on Public and Private Accounts appointed, 13. Reported, 113. 150 copies to be printed, 113. See Report on Light Houses, 166; on Roads, 186. See 212. Appendix, No. 7.
- “ to wait on His Excellency to know when he will be pleased to receive the House with Address in answer to Speech appointed, 14. Reported, 15.
- “ to carry into effect the objects contemplated by the Resolution passed in Committee of the whole on Governor's Speech appointed, 19.
- “ to wait on His Excellency with Address praying an account of Customs, imports and exports and all Duties collected from the Port of Saint John and Saint Andrews appointed, 19. See 207.
- “ to investigate and report upon Petitions of Peter Smith, Patty L. Strachan, and others, appointed, 17. Member added in place of Mr. Weldon, 27.
- “ to request the Legislative Council to join in an Address to Sir Francis B. Head, Lieutenant Governor of Upper Canada, 28.
- “ to join Committee of Council to wait on His Excellency with the Resolutions and Address to Sir Francis B. Head appointed, 29.
- “ to wait on His Excellency with Address respecting Marriage and Marriage Licences appointed, 30.
- “ to investigate and report on Petition of James McKinnon, John Fergusson and others appointed, 39.
- “ to join Committee of Legislative Council in preparing the Address of condolence and congratulation to Her Majesty appointed, 49. See, 111, 124.
- “ to wait on His Excellency with Address, praying a return of Her Majesty's Territorial and Casual Revenue appointed, 51.
- “ to wait on His Excellency with Address respecting King's College, Fredericton, appointed, 51.
- “ to inquire into and report upon the subject of postage to Members of the Legislature appointed, 58. Reported, 90.
- “ to report on plan of exploration of a proposed line of Road from Fredericton to the Bend of Petitcodiac, appointed, 59. Reported, 176.
- “ to wait on His Excellency with Address to bring the survey of the Bay of Fundy again under the consideration of Her Majesty's Government appointed, 61.
- “ to wait on His Excellency with Address on the subject of lands granted for Churches and Schools appointed, 63.
- “ to prepare Address to Her Majesty on Oaths of Office appointed, 64.
- “ on King's College Charter appointed, 67. Reported, 234.
- “ relative to vesting of property in the officers of the ordnance department appointed, 69.
- “ on the subject of an Audit department appointed, 69. See Board of Audit.
- “ to bring in a Bill to afford relief to those persons whose lands have been escheated for non-payment of Quit Rents appointed, 69.
- “ on plan, &c. of the Royal Road appointed, 69.
- “ on Mutiny Act appointed, 69.

- Committee to examine and report on all Petitions for and against alterations in various Roads for monies advanced and loss sustained appointed, 86. Reported, 118.
- “ on Petition of Thomas O. Miles, Esquire, appointed, 91.
- “ relative to making permanent provision for a Master of the Rolls appointed, 99. Reported, 137.
- “ to examine into the expenditure of repairing and furnishing Government House appointed, 107. Reported, 187.
- “ on Petition of William FitzWilliam Owen, Esquire, and others appointed, 108.
- “ relative to the plan and report from John Wilkinson, Esquire, of the survey and exploration of a Road from Woodstock to Oak Bay appointed, 110. Reported, 130.
- “ on Petition of Charles O'Connor, of Wakefield, County Carleton, appointed, 110.
- “ on subject of Roads, 114.
- “ on Schools appointed, 114. Reported, 224.
- “ on Alexander Wedderburn's Petition, 115. See Petitions.
- “ to wait on His Excellency respecting fines collected and received by the Sheriff of the County of Carleton, &c. appointed, 118.
- “ on Petition from the Tobique Mill Company appointed, 125. Reported, 165. See Petitions.
- “ to wait on His Excellency respecting fees and perquisites of office appointed, 118.
- “ to wait on His Excellency to communicate the resolution appropriating the sum of £300 towards the relief of the wives and children of the non-commissioned officers and soldiers of Her Majesty's troops ordered to Canada appointed, 129.
- “ to wait on His Excellency with Address respecting the proceedings against the Estate of the late Receiver General appointed, 130. See Bills.
- “ to wait on His Excellency with Address respecting excess of Timber and Logs cut under different licenses, &c. appointed, 132.
- “ to wait on His Excellency with Address respecting the division line between King's and Queen's Counties appointed, 132.
- “ to wait on His Excellency with Address respecting communication to be made to Lieutenant Governor of Nova Scotia with regard to the survey of Bay of Fundy appointed, 135.
- “ to wait on His Excellency with Address as to the legal construction of the Marriage Act, 160.
- “ to wait on His Excellency with Address respecting the Road from Fredericton to Westmorland and the Road to Richibucto River appointed, 177.
- “ to wait on His Excellency with Address respecting reserves of land for Indians appointed, 188.
- “ to wait on His Excellency with Address respecting the Road from Miramichi to the head of Grand Lake appointed, 191.
- “ to correspond with the Province Agent in London appointed, 193.
- “ to take into consideration during the recess the subject of the Post Office department appointed, 193.
- “ to wait on His Excellency with Address respecting the Road from Burgoyne's, in the County of York, to Patchel's, in the County of Carleton, appointed, 198.
- “ to wait on His Excellency with Address respecting Indian Reserves in the County of Northumberland appointed, 199.
- “ to report at the next Session respecting the inspection of flour and meal appointed, 203.
- “ to wait on His Excellency respecting Custom House returns appointed, 207.
- “ to prepare Bill respecting sum due by the Estate of the late Receiver General, 208.
- “ to wait on His Excellency with Address respecting the survey of the Tract of Land purchased by the New Brunswick and Nova Scotia Land Company appointed, 210.
- “ to wait on His Excellency with Address respecting the Indian Tribes County of Gloucester appointed, 219.
- “ to wait on His Excellency with Address respecting a Bridge over the River Arestook appointed, 223.
- “ to wait on His Excellency with Address respecting a line of Road between the settlement of Little Rock and Eel River Bridge in the County of Gloucester appointed, 225.
- “ to examine and report upon the Contingent Account of the present Session appointed, 225.
- “ to wait on His Excellency with Address respecting the aggressions committed by American Fishermen in the Bay of Fundy appointed, 229.
- “ to prepare a Bill to regulate the practice, costs and proceedings in the Court of Chancery in this Province, and to report the same at the next Session of the Legislature, 229.
- “ to wait on His Excellency with Address respecting the exploring of the River Saint John above Fredericton appointed, 230.
- “ to wait on His Excellency with Address respecting a line of Road from Jacksontown &c. appointed, 230.
- “ to wait on His Excellency with Address respecting a line of Road from the Red Rock settlement on the River Magaguadavic to the Nerepis Road appointed, 230.
- “ to wait on His Excellency with Address respecting all arrearages due for Timber and Logs &c. appointed, 231.

- Committee to wait on His Excellency with Address respecting unclaimed Grain Bounties appointed, 233.
- “ to wait on His Excellency with Address respecting a Road from the upper bridge across the Magaguadavic River near Brockways to the lower bridge across the Saint Croix River appointed, 233.
- “ to wait on His Excellency with Address respecting the Dredging Machine appointed, 233.
- “ to wait on His Excellency with a copy of the Resolution of the Committee of the whole relative to establishing an efficient Office of Audit within this Province appointed, 223. See Audit.
- “ to wait on His Excellency with Address respecting a new line of Road from Nova Scotia line to Saint John, and to Parish of Dorchester, &c. appointed, 236.
- “ to join Committee of Council to present an Address to His Excellency authorizing him to draw from the Treasury of this Province £10,000 in case of any disturbances arising from the present state of affairs on the Canadian frontier, 238.
- “ to wait on His Excellency with Address respecting site, &c. for Provincial Lunatic Asylum appointed, 240.
- “ to wait on His Excellency with Address respecting the Resolutions of the House relative to the Address from the Montreal Constitutional Association appointed, 240.
- Committee of the whole on draft of Address to the Governor in answer to Speech, 14.
- “ “ on Governor’s Speech 18. Resolution thereon, 19.
- “ “ on Rules and Regulations of the House, 15.
- “ “ on supplies for the public service order of the day, 18. House in, 28, 34, 120, 134, 141, 151, 154, 168, 170, 179, 187, 195, 203, 208, 214, 219, 221, 226.
- “ “ on the Address from the Montreal Constitutional Association, 66, 237.
- “ “ on Governor’s Message, 67, 98, 114, 201, 202, 207.
- “ “ on Address of condolence and congratulation to Her Majesty, 104.
- “ “ on Highways and Roads, so far as relates to Woodstock, County Carleton, 126.
- “ “ on Report of Committee on Lumbering interests of the Province, 128, 129
- “ “ on Report of Committee relative to the opening Roads submitted to the House on the 13th January, 1837, 148, 163.
- “ “ on state of the Province, 149, 151.
- “ “ on Ways and Means, 174. See Resolutions, 186.
- “ “ on Report of Committee respecting a Provincial Board of Audit, 214.
- “ “ on Report of Select Committee on the Petition from the Tobique Mill Company negatived, 231.
- “ “ on Address from the Montreal Constitutional Association, 237.
- Carleton County Bye Roads. See Grants for, 155.
- Charlotte County Bye Roads. “ “ 182.
- Carleton County assessment for Poor for the year 1836, laid before the House by Mr. Speaker, 20.
- “ “ Return from the High Sheriff and Clerk of the Peace of fines imposed and received since the organization of said County, 194. See Appendix, No. 17.
- Chaplain, the Rev. James Somerville, L. L. D. appointed, 9.
- Charlotte County Assessment for Poor for the year 1836, laid before the House by Mr. Speaker, 20.
- “ “ Contested Election. See Petitions.
- Casual Revenue. See abstract of, 94. Appendix, No. 3.
- “ “ See Report of Commissioners on Casual Revenue Accounts, 213.
- Central Bank. See Banks.
- Charlotte County Bank. “ “
- City Bank. “ “
- Commercial Bank. “ “
- Commissioners appointed to qualify Members appointed, 6.
- Churches and Schools, return of lands granted or reserved for, 109. See Appendix, No. 12.
- Charter of King’s College, laid before the House, 124. One hundred copies to be printed, 135. See Appendix, No. 10.
- College, King’s. See Address, 51. Committee appointed, 67. See Return, 109. Two hundred copies of Report to be printed, 234. See Appendix, No. 10.
- Commissioners for locating sundry English Emigrants, 190.
- Collector and Controller of Her Majesty’s Customs, Saint John, letter from, 210, 221. See various accounts from and letters, 234, 235. See Appendix, No. 15.
- Coughlan, Charles. See conditional grant to, for the encouragement of the deep sea Herring Fishery negatived, 221.
- Circuit Court expenses, 177. Referred to Committee of Supply, 202. Grant for, 204.
- Crown Land Department, return of instalments due on lands sold or leased shewing what securities have been taken to 31st December last, together with letter from Commissioner and Surveyor General, 124. See Appendix, No. 3.
- “ “ “ Return of instalments due on five years licences to 31st December last, 124. See Appendix, No. 3.
- “ “ “ Return from, 22.

- Crown Land Department, Letter and statement from Commissioner, shewing the amounts received and due on sale of Lands and Timber, &c. 194.
- “ “ “ Reports from deputy Commissioners, shewing excess of Timber and Logs cut for the last two years, 218. See Appendix, No. 3.
- Crown Lands. See Resolution, that lists of persons who may be indebted for land should be printed in the Royal Gazette, 234.
- Crown and Territorial Revenues ceded to this Province. Several Resolutions as to the investment thereof, 234.
- Crane, Honorable William. Report of his proceedings from 6th April last, the day of the departure of his colleague from London, 63. See Appendix, No. 9.
- “ “ “ See Grant to, 228. Not concurred in by Council, 236.
- Custom House Returns. See Appendix, No. 15.
- “ “ Establishment. See Resolution, 201.
- Carleton County Assessment, See Bills, No. 42.
- Carleton County Mining Company, “ “ 39.
- Canal Company, River Saint John and Saint Croix, “ “ 43.
- Carleton County Boundary line, “ “ 47.
- “ “ Lock-up House, “ “ 22.
- Charlotte County debt, assessment for, “ “ 4, 25.
- “ “ Savings Bank, “ “ 8.
- “ “ Bank increase of capital, “ “ 35.
- “ “ Division of, “ “ 51.
- “ “ Dog Tax, “ “ 60.
- Church Wardens, &c. Christ Church, Fredericton, sale of lands, “ “ 62.
- Chamber of Commerce, Saint John, “ “ 21.
- Circuit Courts, Gloucester and Queen's, “ “ 99.
- Civil Government of this Province, “ “ 11.
- Civil suits before Justices of the Peace, “ “ 6.
- County and Parish Rates assessment, “ “ 24.
- County Accounts, inspection by Grand Jury, “ “ 27, 77, 80.
- College, King's, Fredericton, &c. “ “ 36.
- Common Pleas, York County, “ “ 37.
- Copy Rights, “ “ 76.
- Court of Chancery, Master of the Rolls, “ “ 85.
- Crane and Wharfage, “ “ 5, 95.
- Cathcart, John, &c. and 120 others, See Petitions, No. 83.
- Canter, James, “ “ 148.
- Campbell, Alexander, Josephus Moore and others, “ “ 180.
- Campbell, Alexander, &c. and 130 others, “ “ 240.
- Carman, George C. &c. and 34 others, “ “ 242.
- Caruthers, Matthew, “ “ 294.
- Carleton County Justices. “ “ 298.
- “ “ Grand Jury, “ “ 300.
- Chappell, John, “ “ 27.
- Chambers, Moses, J. Dalin and 16 others. “ “ 128.
- Charlotte County Bank, President of, &c. “ “ 140.
- Chappell, Joshua. “ “ 224.
- Christ's Church, Fredericton, Rector, &c. “ “ 229.
- Clarke, William. “ “ 114.
- Clinch, Patrick, and 29 others. “ “ 192.
- Clopper, H. G. Esquire, and others. “ “ 226, 227, 237.
- Clarke, Dugald. “ “ 273.
- Coltard, Richard “ “ 58.
- Corneliuson, William “ “ 115.
- Collins, Benjamin “ “ 150.
- Cook, John “ “ 172.
- Coal, Elizabeth “ “ 179.
- Couglan, and Duncan Hay. “ “ 231.
- Cody, William G. &c. and 77 others, “ “ 304.
- Cox, William “ “ 329.
- Crawford, Thomas “ “ 11.
- Crookshank, Robert W. &c. and 53 others. “ “ 118.
- “ “ “ and 50 others. “ “ 299.
- Crozier, James, and others. “ “ 133.
- Creighton, David “ “ 295.
- Crane, Sarah “ “ 326.
- Cunningham, John “ “ 327.
- Cunliffe, Thomas G. and others. “ “ 301.
- Cuppage, John, and 93 others. “ “ 110.

## D

Debates of the House. Committee appointed, 13. Reported, 14. Resolutions on, 19, 241.

Deputation appointed in 1837 to proceed to England. Honorable Mr. Crane submitted a report of his proceedings from 6th April last, the day of the departure of his colleague, Mr. L. A. Wilmot, from London, 63. See Appendix, No. 9.

Despatches from Secretary of State, on subject of Salaries enjoyed by various Officers borne on the Civil List of this Province, 23:

"	"	"	on passing the Civil List Bill, 25.
"	"	"	on the subject of Lord Glenelg's Portrait, 25.
"	"	"	on the County of Gloucester Division Bill, 25.
"	"	"	on the Act for appointing Commissioners to investigate the Crown Land Accounts, 26.
"	"	"	announcing the demise of His late Majesty King William the Fourth, and the accession of Her present Majesty to the Throne, 32.
"	"	"	on the subject of Lands held by the Board of Ordnance, 26.
"	"	"	approving the establishment of the Board of Audit, 36.
"	"	"	on the subject of Prison Discipline, 44.
"	"	"	on the subject of Joint Stock Companies, 44.
"	"	"	relating to the penalty for the fraudulent purchase of Soldiers necessaries, 44.
"	"	"	on the subject of the Boundary Line between this Province and the State of Maine, 61, 62.
"	"	"	respecting the office of Surveyor General and Commissioner of Crown Lands, &c., 81.
"	"	"	on the subject of completing the survey of the Tract of Land purchased by the New Brunswick and Nova Scotia Land Company, 224.

Despatch from Sir Colin Campbell, with copy of Despatch, and three copies of the report of the Committee of the House of Assembly of Nova Scotia on the subject of Fisheries, 62.

" " " on the subject of the survey of the Bay of Fundy, 199.

Dredging Machine. Report of Commissioners for providing a Dredging Machine for the River Saint John, with a plan of the same, 131. Referred to Committee of Supply, 185. Grant for, 222. Plans on file to be delivered to Commissioners, 228. Resolution and Address, 233. See Appendix, No. 13.

Deer Island. Gates and Fences.

See Bills, No. 17.

Desertion.

" " " 78.

Dissenters Marriage.

" " " 2, 103.

Division of Parish Portland.

" " " 7.

" of Hopewell and Salisbury.

" " " 10.

" of Parish Saint George.

" " " 23.

" line Parish Douglas and Stanley.

" " " 31.

" of Parish of Northesk.

" " " 34.

" of Parish of Gagetown and Hampstead.

" " " 49.

" of County of Charlotte.

" " " 51.

" of County of Westmorland.

" " " 63.

" of Parish of Wakefield.

" " " 74.

" of Parish of Douglas and Saint Mary's.

" " " 82.

Directors of City Bank, Saint John.

" " " 28.

Directors and Stockholders of Banks.

" " " 16.

Dog Tax, Charlotte and Northumberland.

" " " 60.

Duty on certain articles.

" " " 96.

Duty on Lumber &c.

" " " 106, 107, 108.

Davenport, Gabriel.

Petition from, No. 2.

Davidson, Alexander, and 30 others.

" " " 119.

Dalin John, Moses Chambers and 16 others.

" " " 128.

Davidson, Jane.

" " " 213.

Davidson, James.

" " " 291.

Dennison, Michael.

" " " 87.

Dobbin, Adam.

" " " 2.

Doucett, Charles, and others.

" " " 4.

Dick, John.

" " " 112.

Dixon, William.

" " " 193.

Dibble, Henry E.

" " " 334.

Dunlap, John.

" " " 69.

Duff, Peter.

" " " 106.

Dunn, Reverend John, and others.  
Dyer, James.

Petition from, No. 286.  
" " " 291.

## E

Education. See Message from Governor, 85.  
" Report of Committee, 225. See Grant, 226.  
Election, contested for County Charlotte. See Petition, No. 38.  
" " for County Sunbury. " " " 6.  
English Emigrants. Report of Commissioners for locating sundry English Emigrants, 190.  
Expiring Laws. Committee appointed, 9. Reported, 27.  
Emigrants and Passengers. See Bills, No. 93.  
Estate, Real. " " " 100.  
Estate of late Receiver General. " " " 105.  
Escheated Lands for Quit Rents. " " " 104.  
Expenses of Legislature, " " " 3.  
" of Legislative Council. " " " 86.  
Exportation Duty on Timber &c. " " " 106, 107, 108.  
Eagles, William &c. and 61 others. Petition from, No. 303.  
Egan, Reverend Michael and 93 others. " " 120.  
Elliott, John. " " 62.  
Estabrooks, Samuel and 63 others. " " 95.  
Everitt, Charles D. and 69 others. " " 42.

## F

Fees and perquisites of Office. See Appendic, No. 16.  
Fire Insurance Company, New Brunswick, return from, 20. See Appendix, No. 1.  
" " Central, return from to 4th January last, 54. See Appendix, No. 1.  
Fisheries. See Copy of Despatch from Sir Colin Campbell, with report of the Committee of the House of Assembly of Nova Scotia, 62. See Appendix, No. 8.  
" Committee appointed, 11. Reported, 101.  
Franking of Letters by Members of the Legislature. Committee appointed, 58. Reported, 90.  
Resolution, 91.  
Fishery, Gaspereaux, Miramichi. See Bills, No. 15.  
Fisheries, Northumberland. " " 68.  
" Cod and Scale. " " 75.  
Forgery. " " 38.  
Fire Insurance Company Loan. " " 45.  
" " New Brunswick. " " 56.  
Fires, City Saint John. " " 67, 92.  
Fredericton Gaol Limits. " " 30.  
" Public Landings and Squares. " " 48.  
Franking Letters by the Legislature. " " 79.  
Fero, Catherine. Petition from, No. 103.  
Ferguson, John and others. " " 77.  
Finnis, Charles. " " 60.  
Fire Insurance Company, New Brunswick. " " 260.  
Frye, Amos E. " " 41.  
Fraser, Thomas and M'Kenzie. " " 8.  
Flint, James. " " 46, 68.  
Foster, Susan. " " 146.  
Foster, Charles. " " 168.  
Forbes, Alexander and William M'Pherson. " " 174.  
Foulis, Robert. " " 332.

## G

Garden, George Esquire, appointed Sergeant at Arms, 6.  
Gloucester County. Assessment for Poor for the year 1836, laid before the House, 20.  
Great Roads Appropriations. See Roads.  
Grammar Schools. Grant for, 35.  
Grammar School, Newcastle, grant for, 170.  
Grain Bounties unclaimed. See Resolution and Address, 233.  
Gates and Fences, Deer Island. See Bills, No. 17.  
Gaol Limits, Fredericton. " " 30.  
Gagetown and Hampstead, division of Parish. " " 49.  
General Sessions, York County. " " 37.  
Gloucester County assessment. " " 73.

Gloucester and Queen's Circuit Courts.	See Bills, No. 99.
Grand Jury inspection of County Accounts.	" " 27, 77, 80.
Grand and Petit Jurors pay.	" " 71.
Grammar Schools, King's and Queen's Counties.	" " 36.
" School, Northumberland.	" " 57.
Grain and Grass Bounty, &c.	" " 72.
Great Roads.	" " 65, 67, 84.
Government Civil, of the Province.	" " 11.
Gallagher, James &c. and 66 others.	Petition from, No. 318.
Gilchrist James.	" " 65.
Giberson, John.	" " 20.
Grierson, James.	" " 3.
Griswald, Seth.	" " 64.
Grand Jury, County Carleton.	" " 300.
Grant, Ann.	" " 116.
Gray, Lyman.	" " 282.
Green, Elizabeth.	" " 145.
Groom, Enoch.	" " 276.
Gould, Picket, Esquire.	" " 253.

### III

Hay, Duncan.	See conditional Grant for the encouragement of the Deep Sea Herring Fishery negatived, 221.
Head, Sir F. B. Resolution of thanks to, 27.	See 28.
Hampstead and Gagetown, division Parish.	See Bills, No. 49.
Highways.	" " 33.
Highways and Roads, Woodstock.	" " 40.
Hopewell and Salisbury Parish, division of,	" " 10.
House of Correction, Saint John.	" " 58.
Harper, William.	Petition from, No. 12.
Hannah Miles S.	" " 31.
Hamilton, John.	" " 212.
Hanford, James T.	" " 182, 197.
Hanney, Rev. James, and 176 others.	" " 156.
Harding, George, Junior, &c.	" " 330.
Hasty, Patience	" " 271.
Hatch, Harris, &c. and 41 others.	" " 209.
Hawkins, Michael	" " 53.
Hathaway, C. L. &c. and 15 others.	" " 222.
Hay, Duncan, and C. Coughlan,	" " 231.
Hazleton, Charles, &c.	" " 70.
Hazen, Robert F. Esquire, &c. and 34 others.	" " 258.
" " &c. and 64 others.	" " 297.
Hicks, Simmons	" " 147.
Hubble, Armion.	" " 167.
Hubbard, W. D. W.	" " 215.
Hurley, William	" " 126.
Horton, Mary	" " 285.
Howland, Esther C.	" " 76.
Hoyt, Joseph	" " 23.

### I

Indians.	Resolution requesting information respecting all tracts of land reserved or granted for the use of the Indians in this Province, &c. 88. Return of, 109. See 188, 219. Grant for, 222. See Appendix, No. 12.
Insurance Company, New Brunswick.	Return from, 20.
" " Central.	Return from, 54.
Installments due on land.	See Return, Appendix, No. 3.
" due on five years Licences.	See Return, Appendix, No. 3.
Judges of Supreme Court.	See Message from Governor respecting their expenses in attending Circuit Courts, 177. Referred to Committee of Supply, 202. Grant for, 204.
Joint Stock Companies.	See letter from Secretary of State, 44.
Journals of the House.	200 copies to be daily printed for the use of the Legislature, 9.
Indian Town Public Landing.	See Bills, No. 26.
Inspection of County Accounts by Grand Juries.	" " 27, 77, 80.
Jurors, and their qualification.	" " 20.
Jurors, Grand and Petit, pay of.	" " 71.

Indians.	Petition from, No. 121.
Insurance Company, New Brunswick fire.	" " 260.
Jourdin, Richard.	" " 36.
Jouett, Xenophon.	" " 257.
Justices Peace, County Carleton.	" " 298.
Justices Peace, Saint John.	" " 185, 190, 191, 206, 235, 251.

**K**

Kent County assessment for Poor for the year 1836, laid before the House,	20.
Kent Bye Roads, grants for,	123.
King's County assessment for Poor for the year 1836, laid before the House,	20.
King's County Bye Roads, grants for,	170.
King's and Queen's Counties division line.	See Address, 132.
King's College, Fredericton.	See Address, 51. Various documents laid before the House, 67.
	Committee appointed, 67. Charter laid before the House, 124.
	One hundred copies to be printed, 135; and 200 copies of Report to be printed, 234. See Appendix, No. 10.
King's College, Fredericton, and King's County Grammar School.	See Bills, No. 36.
" " " and Grammar School, Northumberland.	" " 57.
King's County Representation.	" " 59.
Kaye, Edmund, and others.	Petition from, No. 200.
Kelly, Mary.	" " 72.
Keillor, John, Esquire, and 39 others.	" " 161.
Kennedy, John.	" " 269.
Kerr, John, and E. Kaye.	" " 200.
Ketchum, Richard.	" " 159.
Kinnear, W. B. and others.	" " 47.
Kinnear John, &c. and 71 others.	" " 308.
King, John, S. Coates, and 16 others.	" " 221.
Knight, Joshua, &c. and 39 others.	" " 57.
Knight, Joshua.	" " 234.

**L**

Land.	Resolution that lists of persons who may be indebted for Land should be printed in the Royal Gazette, 231.
Letter of thanks from Henry Bliss, Esquire,	11.
Letter from the Speaker of the House of Assembly of Saint John's, Newfoundland, respecting the appointment of the Sergeant at Arms of the House of Assembly,	30.
" " Board of Audit,	97.
" " Commissioner and Surveyor General of Crown Lands, with return of instalments due on five years Licenses, also on Land, to 31st December last,	124. See Appendix, No. 3.
" " Commissioner and Surveyor General of Crown Lands, shewing the amounts received and due on sales of Land, and Timber &c.,	194.
" " John Simpson, Esquire, Queen's Printer, laid before the House,	159.
" " Collector and Comptroller of Her Majesty's Customs, Saint John, respecting Woodstock and Miramichi,	160, 161, 162.
" " Ditto,	210, 221.
" " Benjamin L. Peters, Esquire, respecting the Road between Saint John and Saint Andrews, near Musquash,	221.
" " Clerks of several of the Counties, praying compensation for services performed by them relating to Quit Rents,	199.
Letters, Franking.	See Committee, 58. Reported, 90. Resolution, 91.
Leave of absence to Members,	14, 20, 64, 65, 88, 130, 218, 228, 229.
Limitation for bringing in Bills and Petitions,	9.
Laws, expiring.	See Committee.
Light Houses.	See Report of Committee, 166. Appendix, No. 7.
Lunatic Asylum at Saint John.	See Report, 141. Appendix, No. 11.
Lumbering interests of the Province.	See Committee. See Appendix, No. 3.
Law, and advancement of Justice.	See Bills, No. 12, 101.
Lands, sale of by Church Wardens &c. of Christ Church, Fredericton.	" " 62.
Letters, franking by Members of the Legislature.	" " 79.
Legislative Council, expenses of.	" " 86.
Lighting, and Nightly Watch, Saint John.	" " 50.
Limitation of Bank Stock.	" " 52.
Literature, encouragement of.	" " 76.



Lock-up House, County Carleton.	See Bills, No. 22.
Loan from Fire Insurance Company.	" " 45.
Lumber and Timber duty, &c.	" " 106, 107, 108.
Lapee, Eneas.	Petition from, No. 175.
Lee, Thomas.	" " 177.
Lewis, Ichabod, &c. and 15 others.	" " 205.
Lindsay, Robert, and others.	" " 263.
Lockhart, Alexander.	" " 55.
Loudon, Ralph.	" " 272.
Lyons, Hezekiah.	" " 19.

### VI

Message from the Governor, requiring immediate attendance of the House in the Council Chamber, 6, 7.

"	"	"	with sundry documents from the Crown Land Office relative to five year Licenses to cut Timber and Logs, &c.; also accounts of sundry payments; also account current of the casual revenue from 30th June to 31st December, and disbursement account current for same period, with vouchers, 22. See Appendix, No. 3.
"	"	"	with copy of Despatch, in answer to the report of a Committee of that House on the subject of the salaries enjoyed by various Officers borne on the Civil List of this Province, 23.
"	"	"	with copy of Despatch respecting the Casual and Territorial Revenues and Civil List, 25.
"	"	"	with copy of Despatch respecting Lord Glenelg's Portrait, 25.
"	"	"	with copy of Despatch respecting a Bill for dividing the County of Gloucester, 25.
"	"	"	with copy of Despatch respecting three Acts passed by the Legislature of New Brunswick, connected with the transfer to the control of that Body of the Casual and Territorial Revenue, in exchange for a Civil List, &c., 26.
"	"	"	with various surveys and other documents connected with the contemplated line of Rail Road between Quebec and Saint Andrews, together with an account of the expenses incurred, 27. See Appendix, No. 3.
"	"	"	with report of the Board of Audit, with explanations from the Commissioner of Crown Lands, 30. See Appendix, No. 4.
"	"	"	with copy of Despatch announcing the demise of His late Majesty King William the Fourth, and the accession of Her present Most Gracious Majesty Queen Victoria, 32.
"	"	"	with copy of Despatch respecting the office of Receiver General, and the establishment of a Board of Audit, 36.
"	"	"	with extract of Despatch from Major General Sir John Harvey, K. C. H. to the Secretary of State, respecting the salaries of the Board of Audit, 36.
"	"	"	with extract of Despatch on the subject of Prison Discipline, 44.
"	"	"	with copy of Despatch on the subject of Joint Stock Companies, 44.
"	"	"	with copy of Despatch relating to the fraudulent purchase or possession of Soldiers' necessaries, 44.
"	"	"	with various documents relative to the granting of Marriage Licenses, 45.
"	"	"	with schedule of lands escheated for non-payment of Quit Rents, 45. See Appendix, No. 5.
"	"	"	with Plan and Report of the exploration of the Royal Road, 45. See Appendix, No. 6.
"	"	"	with report of exploration of Road from Fredericton to Saint Andrews, 46. See Appendix, No. 6.
"	"	"	with Report of exploration of a Road from Nashwaak, in the Parish of Saint Mary's, to the lower line of the County of York, 46. See Appendix, No. 6.
"	"	"	with an estimate made upon an average of the expense incurred during the last three years at the Secretary's office for Stationery, &c. 51, 52.
"	"	"	with abstract of Revenue, and expenditure of the Province of New Brunswick, for the year 1837, 52.
"	"	"	with Province Treasurer's Accounts, 57. See Appendix, No. 7.
"	"	"	with plan and report of a proposed line of Road from Fredericton to Bend of Peticodiac, 59. See Appendix, No. 6.
"	"	"	with copy of Despatch in answer to the joint Address of the Legislature on the subject of the Boundry line between this Province and the State of Maine, 61.

- Message from the Governor, with copy of Despatch from His Excellency Sir Colin Campbell, with Report of the Committee of Assembly of Nova Scotia on the subject of Fisheries, 62. See Appendix, No. 8.
- “ “ “ recommending provision to be made for a Messenger to attend the Executive Council and the Secretary's office, 62.
- “ “ “ with various documents relative to King's College, 67. See Appendix, No. 10.
- “ “ “ with plan and report of an exploration and survey of a line of Road from Woodstock to Oak Bay, and recommending the same to the favorable consideration of the House, 70. See Appendix, No. 6.
- “ “ “ recommending a permanent provision being made for a Master of the Rolls, 72.
- “ “ “ requiring the immediate attendance of the House in the Council Chamber, 79. Mr. Speaker reported that His Excellency had been pleased to give his assent to the Militia Bill, 79.
- “ “ “ with return from the New Brunswick Marine Assurance Company, 80. See Appendix, No. 1.
- “ “ “ with copy of Despatch respecting the office of Surveyor General and Commissioner of Crown Lands, 81.
- “ “ “ respecting Road making, and of employing salaried officers to superintend the same, 83.
- “ “ “ recommending the erection of some public building for the safe deposit of the Provincial archives, &c. 83.
- “ “ “ respecting a Geological Survey and exploration of certain sections or districts in this Province, and an appropriation for the same, 83.
- “ “ “ with copy of Report from Doctor Peters, respecting a Lunatic Asylum, 84. See Appendix, No. 11.
- “ “ “ on the Education of Youth, the use of the English Class Books, and not those publications emanating from a foreign press, 85.
- “ “ “ with report of exploration made on a new line of Road from the Bridge in Norton to the Church in Hampton, in King's County, 88. See Appendix, No. 6.
- “ “ “ with Report of exploration of a Road from Point Sapin, 88. See Appendix, No. 6.
- “ “ “ with abstract of Casual Revenue, by the Hon. Thomas C. Lee, Receiver General, from the date of his accession to office up to 31st December last, 94. See Appendix, No. 3.
- “ “ “ with abstract made up by the Board of Audit, shewing the state of the Casual and Territorial Revenues up to 31st December last, 97. Also letter from Board of Audit, 97. See Appendix, No. 3.
- “ “ “ with report of supervisor of the Great Road from the Nashwaak, opposite Fredericton, to the Finger Board, 103. See Appendix, No. 6.
- “ “ “ with report of Board of Audit on sundry accounts, furnished by Supervisors of Great Roads, of monies expended in the year 1836 and 1837, 105. See Appendix, No. 4.
- “ “ “ with letter from the Commissioner and Surveyor General of Crown Lands on subject of a Map of the Province, recommended to the favorable consideration of the House, 107.
- “ “ “ with return of Lands granted or reserved for Churches and Schools ; also Schedule of Indian Reserves, 109. See Appendix, No. 12.
- “ “ “ with copy of Charter of King's College, 124. See Appendix, No. 9.
- “ “ “ with return of instalments due on five years Licenses, and securities for payment thereof, 124. See Appendix, No. 3.
- “ “ “ with return of instalments due on Lands, shewing what securities have been taken for payment ; also Letter from the Honorable Thomas Baillie, 124. See Appendix, No. 3.
- “ “ “ with report and plan of a proposed alteration in the Road from Saint John to Saint Andrews, near to Musquash, 133. See Appendix, No. 6.
- “ “ “ with report of the Commissioners appointed to run out and ascertain the line of division between this Province and the Province of Nova Scotia, with an account of the expense amounting to 162 2 5½, for which the Lieutenant Governor recommends provision to be made, 138. See Appendix, No. 14.
- “ “ “ with report from the Board of Audit upon various accounts and expenses incurred at the Crown Land and Surveyor General's Departments, 139. See Appendix, No. 4.
- “ “ “ with report from the Board of Audit upon various accounts of expenditure by Commissioners of Bye Roads, 148. See Appendix, No. 4.

- Message from the Governor, with sundry Letters respecting the insufficient state of the Department of Her Majesty's Customs at Woodstock, and on the subject of expenses to be incurred for the protection of the Revenue at Miramichi, 160.
- “ “ “ with account from John Simpson, Esquire, Queen's Printer, 159 ; also Letter from ditto, 159.
- “ “ “ recommending a Grant for payment of the expenses of the Judges of the Supreme Court for attending the Circuit Courts, 177.
- “ “ “ with Custom House Returns from the Port of Saint Andrews and its Out Bays for the year ending 5th January last, 190. See Appendix, No. 15.
- “ “ “ with report of Commissioners for locating sundry English Emigrants in the County of York, 190.
- “ “ “ with Letter and Statement from Commissioner of Crown Lands, shewing the amount received and due on sales of Land and Timber, &c., 194. See Appendix, No. 3.
- “ “ “ with copy of Despatch from His Excellency Sir Colin Campbell, Lieutenant Governor of Nova Scotia, in reply to a Despatch on the subject of the survey of the Bay of Fundy, 199.
- “ “ “ with Letters from the Clerks of several of the Counties, praying compensation for services performed by them relating to Quit Rents, 199.
- “ “ “ with schedule of Lands granted to, reserved for, or holden by the Ordnance Department, 194. See Appendix, No. 3.
- “ “ “ with statement of fees and perquisites received by the Administrator of the Government, Chief Justice, Judges of the Supreme Court, and other Public Officers, 194. See Appendix, No. 16.
- “ “ “ with return from the High Sheriff of the County of Carleton of fines imposed and received since the organization of the County in 1833, 194. See Appendix, No. 17.
- “ “ “ with Report and Survey of the River Saint John from Fredericton to the Grand Falls, made by Robert Foulis in 1826, 194. See Appendix, No. 18.
- “ “ “ with report and plan of a line of Road between the Falls at the Maguadavic and the Nerepis Road, with account of expenses incurred, amounting to £25 7s. 2d., 208. See Appendix, No. 6.
- “ “ “ with accounts from the Collector and Comptroller at the Port of Saint John, of duties collected at that Port and its Out Bays for the year ending 5th January last ; also statement shewing the receipts and appropriations of the said duties, 210 ; also Letter from the Officers of that Department. See Appendix, No. 15.
- “ “ “ with opinion of the Law Officers of the Crown as to the legal construction of the Marriage Act, 4th William IV., 211.
- “ “ “ with report of Commissioners appointed to examine and report upon the Casual Revenue accounts, 213.
- “ “ “ with various documents from John C. Vail and others, for the claim to the grant for the encouragement of the running of a Stage or public conveyance between Saint Andrews and the Nova Scotia line, 214.
- “ “ “ with report of Commissioners appointed to explore that part of the Great Road from Fredericton to the Canada line, which lies between Camber's Creek and Burgoyne's Ferry, 218. See Appendix, No. 6.
- “ “ “ with report from the Deputy Commissioner of Crown Lands of the several Districts, shewing the excess of Timber and Logs cut for the last two years, 218. See Appendix, No. 3.
- “ “ “ with a communication from the Collector and Comptroller of Her Majesty's Customs at Saint John, together with a Petition from Henry E. Dibblee, Esquire, Sub-Collector at Woodstock, praying some adequate and permanent allowance may be secured to him for his services in that capacity, 221.
- “ “ “ with an account of Jacob Allen, Esquire, for services in assisting George Anderson and Benjamin L. Peters, Esquires, in examining a contemplated alteration on the Great Road between Saint John and Saint Andrews, accompanied by a letter from Mr. Peters on the subject, 221.
- “ “ “ with copy of Despatch on the subject of completing the survey of the land purchased by the New Brunswick and Nova Scotia Land Company, 224.

**Message from the Governor, with various other accounts from the Collector and Comptroller at the Port of Saint John, viz. :** Account of goods exported for the year ending 5th January, 1838 ; Account of existing shipping on the records on the 31st December, 1837 ; Account of duties collected under Acts prior to 18 Geo. 3, c. 12, in the year ending 5th January last, 234. See Appendix, No. 15.

“ “ “ with letters from the Collector and Comptroller, Saint John, 234, 235.  
“ “ “ requiring the immediate attendance of the House in the Council Chamber, 242.

**Message from the Legislative Council, concurring in the resolutions of the House of Assembly on the subject of the insurrection in Upper Canada, 29.**

“ “ “ agreeing to the proposed joint Address of condolence to Her Majesty, and of congratulation on Her Majesty's accession to the Throne, 49. See 109.

“ “ “ with an Act in addition to an Act for defining the crime of Forgery, 61.

“ “ “ with Bill for the amendment of the Law respecting Wills, 66.  
“ “ “ relating to Bills and Appropriations, 61, 66, 69, 100, 105, 109, 115, 126, 129, 139, 150, 164. See 167, 168, 176, 185, 189, 193, 197, 200, 209, 214, 223, 228, 232, 235, 238, 241.

“ “ “ agreeing to address His Excellency, authorizing him to draw £10,000 from the Province Treasury, in the event of any disturbances arising from the present state of affairs on the Canadian frontier, 238.

“ “ “ agreeing to Address of condolence and congratulation to Her Majesty, 109.

**Montreal Constitutional Association, Address from, 40. Resolutions laid on Table, 63. See 66, 207, and Resolution, 238, 241.**

**Master of the Rolls. See notice to address the Governor on the subject of the appointment of a Master of the Rolls, 70. Message from Governor, 72. Resolution, 93. Committee appointed, 99. See 137.**

**Marine Assurance Company, New Brunswick. Return from, together with a list of Stockholders, 80. See Appendix, No. 1.**

**Map of the Province. See Resolutions and division thereon, 209.**

**Marriage Act. See Address, 30. Message in answer, 45. See Address as to the legal construction of the Act, 160. Opinion of Law Officers of the Crown, 211.**

**Mechanics Whale Fishing Company, Saint John. Returns from, 20. See Appendix, No. 1.**

**Messenger to attend Executive Council and the Secretary's Office. Recommended by Message from Governor, 62.**

**Miramichi, a Free Port. See Message from the Governor, 160. See Resolution, 201.**

**Mutiny Act. See Letter from Secretary of State, 45.**

**Musquash River Bridge. See Resolution, 237.**

**Members of House of Assembly returned by the Sheriffs of Counties, 5. Sworn 6, 16.**

**Manufacturing and Mill Company, Saint John. See Bills, No. 13.**

**Marriage. “ “ 2, 103.**

**Marine Assurance Company, New Brunswick. “ “ 54.**

**Master of the Rolls. “ “ 85.**

**Members of House of Assembly pay. “ “ 3.**

**Members of Council, do. “ “ 86.**

**Members of the Legislature franking Letters. “ “ 79.**

**Militia. “ “ 18.**

**Militia pay. “ “ 61.**

**Miramichi Bank. “ “ 1.**

**Mining Company, County Carleton. “ “ 39.**

**M'Kay, Brothers & Company. Petition from, No. 13.**

**Maclauchlan, James A. Esquire, and others. “ “ 250.**

**Madget, Joseph. “ “ 280.**

**Manzer, John. “ “ 63.**

**Manzer, Barnet. “ “ 163.**

**Marshall, John. “ “ 29.**

**Marks, Nehemiah, and 22 others. “ “ 134.**

**Messinett, John E. &c. “ “ 186.**

**Merry, Margaret. “ “ 202.**

**Merritt, Nehemiah, and 80 others. “ “ 289.**

**Melicete Tribe of Indians. “ “ 121.**

**Miles, Thomas O. “ “ 6.**

**Miles, Bradbury. “ “ 33.**

Miles, Reverend F. W. and others.	Petition from, No. 47.
Mills, William.	" " 281.
Mill Company, Tobique.	" " 287.
Miller, James.	" " 66.
Moore, Tristram &c., and 16 others.	" " 81.
Moore, Josephus &c., and others.	" " 180.
Moore, Tristram &c., and others.	" " 256.
Moore, John.	" " 317.
Montgomery, John, and 22 others.	" " 155.
Murray, James, and others.	" " 45.
Murphy, James.	" " 105.
Munroe, Ann.	" " 151.
Mowatt, W. H., Hugh Cavin, and 80 others.	" " 245.
M'Bain, Neal.	" " 5.
M'Callum, Peter and Archibald &c., and 57 others.	" " 39.
M'Callum, Peter.	" " 277.
M'Culloch, William.	" " 67.
M'Coll, John.	" " 73.
M'Cardy, Jane.	" " 127.
M'Claskey, John.	" " 201.
M'Clain, John.	" " 1.
M'Donald, John.	" " 165.
M'Donald, Benjamin.	" " 166.
M'Donald, Donald.	" " 267.
M'Dougal, William.	" " 210.
M'Farlan, Duncan.	" " 16.
M'Farlan, Richard.	" " 264.
M'Fee, Angus.	" " 292.
M'Gowan, Hugh.	" " 25.
M'Grigor, Donald.	" " 208.
M'Grotty, Alexander &c., and 11 others.	" " 255.
M'Gee, Richard, and 44 others.	" " 335.
M'Elwain, Thomas.	" " 178.
M'Kenzie and Fraser.	" " 8.
M'Kenzie, Alexander.	" " 265.
M'Kay, George, and others.	" " 39.
M'Kay, George, M'Allum, and 33 others.	" " 131.
M'Kay, Hugh, Esquire, and 800 others.	" " 232.
M'Kay, Donald &c., and 31 others.	" " 331.
M'Kinney, Allan.	" " 48.
M'Kinnon, James &c., and 31 others.	" " 77.
M'Kinley, Hugh &c., and 75 others.	" " 218.
M'Laughlan, John.	" " 44.
M'Lean, Reverend Alexander, and others.	" " 74, 84, 132.
M'Lean, Neal.	" " 108.
M'Lean, John, Archibald G. and others.	" " 139.
M'Lean, Alexander.	" " 293.
M'Laughlan, John.	" " 203.
M'Leod Roderick.	" " 204.
M'Masters John &c., and 157 others.	" " 40.
M'Nally, Michael.	" " 80.
M'Nichol, Neal.	" " 113.
M'Pherson, James.	" " 52.
M'Pherson, William, and Alexander Forbes.	" " 174.
M'Pherson, William	" " 266.

## N

Newfoundland House of Assembly.	See letter from, 30.
Nova Scotia and New Brunswick Land Company, survey of Land purchased by them,	224.
New Brunswick Fire Insurance Company.	Returns from laid before the House, 20.
Northumberland Assessment for Poor for the year 1836, laid before the House,	20.
Northumberland Bye Roads, Grants for,	141.
" Dog Tax.	See Bills, No. 60.
" Fisheries.	" " 68.
Newcastle River, Queen's County, navigation of.	" " 53.
New Brunswick Marine Assurance Company.	" " 54.
New Brunswick Fire Insurance Company.	" " 56.
Northesk, division of Parish.	" " 34.
Notes, Promissory and Bills of Exchange.	" " 98.

Nevers, Samuel.	Petition from, No. 129.
Nevers, Bashaba E.	" " 305.
Needham, William H. &c. and 150 others,	" " 259.
Niles, Maria.	" " 160.

①

Order of the Day on Governor's Speech, 8.

- " " " on Supplies for the public service, 18.
- " " " on the several Messages from His Excellency, 27, 84.
- " " " on Petition from Thomas Odber Miles, 21, 46, 50.
- " " " on Petition of William Fitz William Owen, Esquire, and others, 21, 52, 115  
See 124, 125, 164.
- " " " on Petition of Joshua Knight and others discharged, 84.
- " " " on state of the Province, 91, 105. Discharged, 113.
- " " " on Bill respecting Wills, &c. 94.
- " " " on Lumbering interests of this Province, 97.
- " " " on report of Select Committee for opening Roads throughout the Province, 149.
- " " " on Bill, Douglas and Saint Mary's Parishes, 178.
- " " " on Ways and Means, 174. See 186.
- " " " on Bill to appoint a Master of the Rolls, 177.
- " " " on Bill for the collection of the Revenue, 194.
- " " " to address His Excellency on the subject of the appointment of a Master of the  
Rolls, 70.
- " " " respecting Board of Audit, 203.
- " " " on Address from the Montreal Association, 207.

Orders for printing daily Journals, 9.

- " for printing 200 copies of report of Select Committee on Lumbering interests of this Province,  
together with the two Bills connected with that subject, 233.
- " for printing 150 copies of report of Committee on Public and Private Accounts, 113.
- " for printing 100 copies of Charter of King's College, 135.
- " that lists of persons who may be indebted for land should be printed in the Royal Gazette, 234.

Old Soldiers. See Committee, 10.

Oath refused to be taken by Members of House, 6.

Oaths of office. See Address to Her Majesty, 64. See Bills.

Ordnance Department. Schedule of Lands granted to, reserved for or holden by the Ordnance Department, 194. See Appendix, No. 3.

Oaths of Office.

See Bills, No. 9.

Orphan Benevolent Society, Saint John,

" " 83.

O'Connor, Charles.

Petition from, No. 309.

O'Donnell, Nathaniel,

" " 236.

Ogden, Mary.

" " 311.

Ogden, John.

" " 323.

Orphan Benevolent Society, Saint John.

" " 318.

Overseers Poor, Saint Andrews.

" " 184.

" " Parish Portland.

" " 165, 191.

" " Parish Saint George.

" " 186.

" " Parish Saint Stephen's.

" " 263.

" " City Saint John.

" " 190.

" " Parish of Wellington.

" " 193.

Owen, William Fitz William.

" " 38.

Owen, John.

" " 83.

P

P e t i t i o n s .

1. John McClain.

praying compensation for teaching School in the Parish of Sussex,  
King's County. Referred to Select Committee, 10. Re-  
ferred to Committee of Supply, 151. Complied with, 169.  
Not concurred in by Council, 198.

2. Adam Dobbie.

praying compensation for teaching School, in the Parish of Port-  
land, County Saint John. Referred to Select Committee.  
10. See page 151. Complied with, 168.

3. James Grierson.

praying aid in his present distressed circumstances as an old Sol-  
dier. Referred to Select Committee, 10. Complied with,  
143. Not concurred in by Council, 167.

4. Charles Doucett, and others.

praying pecuniary aid towards building their Church at Bathurst.  
Referred to Committee of Supply, 10. Complied with, 152.

---

 PETITIONS, *Continued.*

5. Neil M'Bean. praying pecuniary aid as an old soldier. Referred to Select Committee, 10. Complied with, 143. Not concurred in by Council, 167.
6. Thomas O. Miles. praying a scrutiny of votes polled for Henry T. Partelow, Esquire, at the last Election for the County of Sunbury, and that he may be heard by Council thereon. Lie on the Table, 10. See Rule of House, 15. Order of the day, 21. Enlarged, 46, 50. Ordered that the parties be heard at the Bar, 91. Petitioner appeared by L. A. Wilmot, Esquire, as his Counsel, and the Honorable E. B. Chandler and George F. S. Berton, Esquire, as Counsel on behalf of the sitting Member, 91. Names drawn and Nominees appointed, 91. Committee appointed and sworn, 91. Ordered to meet in the Supreme Court, and Counsel withdrew, 91.
7. W. H. Street, and William P. Ranney. praying to be refunded certain duties paid at the Provincial Treasury, on articles imported in June last in the brig Clifton, direct from Canton. Referred to Committee of Trade, 11. Not recommended by Committee, 127.
8. James M'Kenzie and Thomas Frazer, Trustees of Schools, Parish of Saint James, County of Charlotte. praying the Provincial allowance may be granted to Flora M'Kenzie and Ann Buchanan, for Schools taught by them for six months in the year 1836. Referred to Select Committee, 11. See page 151. Complied with, 168.
9. Joseph Prince. praying compensation for teaching School in Parish of Monkton, Westmorland. Referred to Select Committee, 11. See page 151. Complied with, 169. Not concurred in by Council, 197.
10. Richard Budd. praying pecuniary aid as an old soldier. Referred to Select Committee, 11. Complied with, 143. Not concurred in by Council, 167.
11. Thomas Crawford. praying compensation for teaching School in Parish of Portland. Referred to Select Committee, 11. See page 151. Complied with, 169.
12. William Harper. praying pecuniary aid as an old soldier. Referred to Select Committee, 11. Complied with, 143. Not concurred in by Council, 167.
13. Mackay, Brothers & Co. praying to be reimbursed an access of head money paid at the Provincial Treasury on passengers by the ship Champion, in June last. Referred to Select Committee, 12. Recommended by Committee, 102. Complied with, 121.
14. Andrew Rush. praying pecuniary aid as an old soldier. Referred to Select Committee, 12. Complied with, 143. Not concurred in by Council, 167.
15. Martin Austin. praying like aid. Referred to Select Committee, 12. Complied with, 143. Not concurred in by Council, 167.
16. Duncan M'Farlane. praying like aid. Referred to Select Committee, 12. Complied with, 143. Not concurred in by Council, 167.
17. Musco Wright. praying like aid. Referred to Select Committee, 12. Complied with, 143. Not concurred in by Council, 167.
18. Thomas Wade. praying like aid. Referred to Select Committee, 12.
19. Hezekiah Lyon. praying like aid. Referred to Select Committee, 12. Complied with, 143. Not concurred in by Council, 167. Complied with, see 220.
20. John Giberson. praying like aid. Referred to Select Committee, 12.
21. Gabriel Davenport. praying like aid. Referred to Select Committee, 12.
22. Thomas Thornton. praying like aid. Referred to Select Committee, 12. Complied with, 144. Not concurred in by Council, 168.

PETITIONS, *Continued.*

23. Joseph Hoyt. praying like aid. Referred to Select Committee, 12. Complied with, 144. Not concurred in by Council, 168.
24. President &c. Saint John Water Company. praying to be reimbursed Provincial duties paid on certain machinery imported in July last, for the use of their Works. Referred to Committee of Trade, 13. Reported, 127. Complied with, 195.
25. Hugh M'Gowan. praying compensation for teaching School in the Parish of Saint Patrick, County of Charlotte. Referred to Select Committee, 13. See page 151. Not complied with, 170.
26. John Simkin. praying to be reimbursed an excess of head money paid at the Treasury, Saint John, on passengers, by the Barque Recovery, from Cork. Referred to select Committee, 13. Recommended by Committee, 102. Complied with, 121.
27. John Chappell. praying Legislative aid towards the establishment of a Packet Boat to ply between the Bay of Verte and Prince Edward's Island. Referred to Committee of Trade, 13. Not recommended by Committee, 127.
28. William Siliken. praying like aid towards the establishment of a Packet to ply to Prince Edward's Island. Referred to Committee of Trade, 13. Not recommended by Committee, 127.
29. John Marshall. praying to be reimbursed an excess of head money paid on passengers by the Brig Highlander, of Belfast, at Saint John, in July last. Referred to Select Committee, 13. Referred by Committee to the House, 102. Not complied with, 122.
30. Thomas Burnett. praying compensation for teaching School. Referred to Select Committee, 16. See page 151. Complied with, 169.
31. Peter Smith, Miles S. Hannah, Thomas Sime and others, depositors of money in the Charlotte County Savings Bank. praying a grant may pass to reimburse them for losses sustained by the failure of the said Institution, and further that some Legislative enactment may pass to provide for the recovery of sums due from the Justices of the Peace for the said County, and the President and Directors of the Charlotte County Bank. Referred to Committee of Supply, 17. Referred to Select Committee to report thereon, 17.
32. Patty L. Strachan, widow. praying like reimbursement for loss by the failure of the said Institution. Referred to Committee of Supply, 17. Referred to Select Committee to report thereon, 17. Member added to Committee, 27.
33. Bradbury Mills. praying pecuniary aid as an old Soldier. Referred to Select Committee, 17. Complied with, 144. Not concurred in by Council, 168.
34. Robert Robertson. praying like aid. Referred to Select Committee, 17. Complied with, 144. Not concurred in by Council, 168.
35. Joshua Stone. praying like aid. Referred to Select Committee, 19. Complied with, 144. Not concurred in by Council, 168.
36. Richard Jourdin. praying like aid. Referred to Select Committee, 20. Complied with, 143. Not concurred in by Council, 167.
37. John Pendlebury, formerly keeper of the Light house on Machias Seal Island. praying to be reimbursed amount expended by him in repairs and erecting buildings during the time he was employed as keeper of said Light house. Referred to Committee on Light houses, 20. Recommended, see 105. Referred to Committee of Supply, 105.
38. William Fitz William Owen, Esquire, and others. complaining of the undue return by the Sheriff of Charlotte County, of Robert Thompson, Esquire, as a member to serve in General Assembly; also setting forth that the said Robert Thompson had not a majority of legal votes at the close of the said election, and praying a scrutiny of the votes polled, and that he, the said William Fitz Wm. Owen, one of the Candidates for said County may be heard by Council. Lie



PETITIONS, *Continued.*

- on the Table, 21. Order of the day, 21. Enlarged, 52. See Petitions, pages 77, 78. Ordered that the parties be heard at the Bar, 108. Parties appear by Counsel, 108. Nominees appointed and Committee sworn, 108. Ordered to meet in Supreme Court. Counsel withdrew, 108. Order of the day, 115. Adjourned, 124, 125, 164. Copies of Petitions from Hugh Mackay, Esquire, and others, and John Wilkinson and others, to be furnished to William Fitz Wm. Owen, Esquire, 186. See Report of Select Committee. Robert Thompson charged with making erasures and alterations in the list of votes handed by Mr. Owen to the Clerk of the House, and it was therefore resolved, that Mr. Thompson be expelled from his seat. See pages 192, 193. Report of Committee, that William Fitz Wm. Owen, Esq., had a majority of good votes at the late Election for the County of Charlotte, and that he is entitled to his seat in the room of Robert Thompson, Esquire, 200. Committee appointed to see Mr. Owen qualified. Mr. Owen having taken the oaths, &c., Mr. Owen took his seat, 200.
39. Peter M'Callum, George M'Kay, Archibald M'Allum and 57 others. praying that no bridge may be so constructed on the Digdeguash river as to impede the navigation of the said river. Lie on the Table, 21. Reported by Committee. See 119. Complied with, 118.
40. James P. Brown, John Wilson and John M'Master, Esquires, and 157 others. praying that the line lately explored, marked out and measured by L. B. Rainsford, Esquire, and others, the Commissioners, may be opened and improved as the Great Road from Fredericton to Saint Andrews. Referred to Committee on Roads, 21.
41. Amos E. Frye. See petition No. 209. praying for a return of duty paid on Horses and other property imported from the United States in November last, for the Saint John and Saint Andrews Stage Coach Company. Referred to Committee of Supply, 21. Complied with, 152. See Grant, with a condition, 154.
42. Charles D. Everitt & Co. and 69 others. See Bills No. 13. praying that an Act may pass for the incorporation of the Saint John Mills and Manufacturing Company. Lie on the Table, 22.
43. Cornelius Ackerman. praying pecuniary aid as an old soldier. Referred to Select Committee, 22. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
44. John M'Laughlan. praying like aid. Referred to Select Committee, 22. Complied with, 144. Not concurred in by Council, 168.
45. James Murphy, and others. praying the line marked out by L. B. Rainsford, Esquire, and others, may be adopted as part of the Great Road from Fredericton to Saint Andrews, and further that a grant may pass towards opening a road to connect their settlements with the said line. Referred to Road Committee, 22.
46. James Flint. See Petition, No. 68. praying pecuniary aid as an old soldier. Referred to Select Committee, 22. Complied with, 143. Not concurred in by Council, 167.
47. Jarvis King, William B. Kinneer, and the Rev. F. W. Miles. praying that a grant may pass towards paying the debt incurred in the erection of a Baptist Seminary at Fredericton. Referred to Committee of Supply, 23. Complied with, 152. Not concurred in by Council, 200. Complied with a second time by the House, 220. See resolution negatived, 223. Not concurred in by Council, 228.
48. Allan M'Kinney. praying to be remunerated in part for damage sustained by the alteration in the Great Road between Phillis' Creek and Camber's Creek. Lie on the Table, 23. Not recommended by Committee. See reason, 119.
49. Elizabeth Wilson, widow. praying compensation for teaching School at Saint Martins. Referred to Committee on School Petitions, 23. See page 151. Complied with, 169.

PETITIONS, *Continued.*

50. Rector, Church Wardens, &c. Saint George, County Charlotte. praying aid towards the enlarging and repairing the School house at Magaguadavic, or in the erection of a new one. Referred to Committee of Supply, 23.
51. Peters Yeamans and others. See Bills, No. 53. praying an Act may pass to prevent the obstructing of the Newcastle stream, in the Parish of Canning, Queen's County. Referred to the Navigation Committee, 24. See Report of Committee, 175.
52. James M'Pherson. praying compensation for teaching School at Tay Creek Settlement, County of York. Referred to Select Committee on Schools. See Petitions, 24. See page 151. Complied with, 169.
53. Michael Hawkins. praying pecuniary aid as an old soldier. Referred to Select Committee, 24. Complied with, 144. Not concurred in by Council, 168.
54. Michael Samuels. praying a return of duty twice paid on Wine imported in the year 1828. Referred to Committee of Supply, 27. Not complied with, 152.
55. Alexander Lockhart. praying that a grant may pass in aid of individual subscription towards the support of a Courier between Saint John, Loch Lomond and Quaco, in the Parish of Saint Martins. Referred to Committee of Supply, 28.
56. Isaac and John G. Woodward. praying a drawback on two puncheons Rum, exported to Nova Scotia in the year 1836. Referred to Committee of Supply, 30. Complied with, 152.
57. Joshua Knight, Edward Seely, and 39 others. praying that the election for the County of Charlotte may be declared null and void for the reasons stated in the said Petition. Lie on the Table, 30. Order of the day, 32.
58. Richard Coltard. praying to be remunerated for loss sustained in performance of contracts entered into by him on the Great Road between Fredericton and Newcastle. Lie on the Table, 30. Not recommended by Committee. See reasons, 119.
59. Cyrus Perkins. praying compensation for teaching School on the Keswick Settlement, for one year, ending June, 1834. Referred to Select Committee, 30. See page 151. See page 169.
60. Charles Finnis. praying compensation for teaching School in the Parish of Norton, King's County. Referred to Select Committee, 31. See page 151. Complied with, 169.
61. Robert Ash. praying aid to assist him in the erection of an Oat Mill in the upper part of the Parish of Saint George, in the County of Charlotte. Referred to Committee on the Agricultural interests of the Province, 31.
62. John Elliot. praying like aid towards the erection of an Oat Mill at Salmon River, in Queen's County. Referred to the same Committee as above, 31.
63. John Manzer. praying pecuniary aid as an old soldier. Referred to Select Committee, 31. Complied with, 143. Not concurred in by Council, 167.
64. Seth Griswold. praying like aid. Referred to Select Committee, 31. Complied with, 144. Not concurred in by Council, 168.
65. James Gilchrist. praying compensation for teaching a free School for the people of colour at Lake George Settlement, County of York. Referred to Select Committee, 34. See page 151. Complied with, 169.
66. James Miller. praying compensation for teaching a School at Chatham, for four years. Referred to Select Committee, 37. See page 151. Complied with, 169. Not concurred in by Council, 197.
67. William M'Cullogh. praying remuneration for loss sustained in the performance of a contract in building three Bridges in Queen's County. Lie on the Table, 37. Not recommended by Committee. See reason, 119.

PETITIONS, *Continued.*

68. James Flint. See Petition, No. 46. praying pecuniary aid as an old soldier. Referred to Select Committee, 37. Not concurred in by Council, 167. Complied with, 220.
69. John Dunlap. praying like aid. Referred to Select Committee, 37. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
70. Charles Hazleton. praying like aid. Referred to Select Committee, 37.
71. Peter Allen. praying like aid. Referred to Select Committee, 37. Complied with, 144. Not concurred in by Council, 167.
72. Mary Kelly. praying like aid, as Widow of John Kelly, an old soldier. Referred to Select Committee, 37. Complied with, 143. Not concurred in by Council, 167.
73. John M'Coll. praying like aid as an old soldier. Referred to Select Committee, 37. Complied with, 144. Not concurred in by Council, 167.
74. Rev. Alexander M'Lean and others, Ministers and Elders of the Church, in connexion with the Church of Scotland. praying an alteration in the College Charter. Lie on the Table, 37. Petition entered on the Journals, 38. See division on 37. One hundred and fifty copies to be printed, negatived, 37. Copy of Petition to be entered on the Journals, 37. Referred to Select Committee to report thereon, 67. Committee appointed, 67. See report of Committee, 234.
75. William Brenan. praying compensation for teaching School in the Parish of Portland, County Saint John, in the year 1835. Referred to Select Committee, 39. See page 151. Complied with, 169.
76. Esther C. Howland. praying like allowance for teaching School in Parish of Portland, County Saint John. Referred to Select Committee, 39. See page 151. Complied with, 219.
77. James M'Kinnon, John Ferguson and 31 others. natives of Scotland, who emigrated to this Province in the year 1836, under inducements held out to them by the New Brunswick Land Company, setting forth various grievances and wrongs suffered from the said Company, and praying relief in the premises. Lie on the Table, 39. Referred to a Select Committee to report thereon, 39. See Report of Committee, 178, 179. Referred to Committee of Supply, 179. Complied with, 179.
78. James Sharp and George Clowes, Trustees of Schools for Northampton, County of Carleton. praying Provincial allowance to enable them to pay John C. Chipmen for teaching a School at that place for the period of three months. Referred to Select Committee, 39. See page 151. Complied with, 169. Not concurred in by Council, 198.
79. Lieutenant Colonel Booth, K. H., and officers of the 43d Regiment. praying return of duties on Wine imported for the use of their Mess during the past year. Referred to Committee of Supply, 42. Complied with, 153.
80. Michael M'Nally. praying remuneration for his long services as Teacher of a School. Lie on the Table, 42.
81. Tristram Moore, Joel Scott, and 16 others. praying the Provincial allowance may be granted to enable the Trustees to pay Hannah Rogers for her services as a teacher for one year, ending [December last. Referred to Select Committee, 43. See page 151. Complied with, 169. Not concurred in by Council, 198.
82. John Owen, a disbanded soldier of 62d Regiment. praying aid to enable him to obtain a grant to 100 acres of land allotted to commuted pensioners, for reasons stated in his Petition. Lie on the Table, 43.
83. John Cathcart, Daniel Hill, Junior, William Ellis and 120 others. praying that a grant may pass to alter and amend the present line of the Great Road from Connick's to the Rolling Dam in the County of Charlotte, and that the line laid out by L. B. Rainsford, Esquire, be not adopted. Lie on the Table, 43.
84. Rev. Alex. M'Lean, Wm. Kerr, Wm. M'Lean, Miles S. Hannah, and 60 others. praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College. Lie on the Table, 43. See Petition, No. 74.

PETITIONS, *Continued.*

85. Reverend W. Andrew, &c., and 80 others. The like prayer. Lie on the Table, 43. See Petition, No. 74.
86. James Appleby. praying pecuniary aid as an old soldier. Referred to Select Committee, 43. Complied with, 143. Not concurred in by Council, 167.
87. Michael Dennison. praying like aid. Referred to Select Committee, 43. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
88. William West. praying like aid. Referred to Select Committee, 43. Complied with, 144. Not concurred in by Council, 168.
89. Patrick Van. praying like aid. Referred to Select Committee, 43. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
90. John Pond. praying like aid. Referred to Select Committee, 43. Complied with, 143. Not concurred in by Council, 167.
91. Catherine Stewart. See Petition, No. 279. praying like aid, as Widow of James Stewart, an old soldier. Referred to Select Committee, 43. Not concurred in by Council, 167.
92. Charles Upham. praying to be reimbursed for loss sustained in the performance of his contract for building a Bridge across the Maduxnikik. Lie on the Table, 46. Not recommended by Committee. See reasons, 119.
93. George Sinnett. praying pecuniary aid as an old soldier. Referred to Select Committee, 46. Not concurred in by Council, 168.
94. Holden Turner. praying like aid. Referred to Select Committee, 46. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
95. Samuel Estabrooks, Esquire, and 63 others. See Bills, No. 47. praying an Act may pass establishing a boundary between the Parish of Brighton, in the County of Carleton, and the Parish of Northampton. Lie on the Table, 46.
96. Ralph Atkinson, and 55 others. praying that the dividing line between the Counties of King's and Queen's, and the County of Westmorland, may be run out and established. Lie on the Table, 47.
97. William Segee, Senior. praying pecuniary aid as an old soldier. Referred to Select Committee, 47. Complied with, 144. Not concurred in by Council, 168.
98. Jabez C. Squires, George Milbery and William W. Emslie. praying the Provincial allowance may be granted to enable them to remunerate Richard Pointer, for teaching a School in the Parish of Kent, in the County of Carleton, for six months. Referred to Select Committee, 47. See page 151. Complied with, 169.
99. John Robinson, Esquire, and 40 others, inhabitants and freeholders of the Parishes of Douglas and Stanley, County of York. See Bills, No. 31, 82. praying that an Act may pass, altering the division line between those Parishes and the Parish of Saint Mary's. Lie on the Table, 48.
100. Rev. James Souter, &c. and 79 others. praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College. Lie on the Table, 48. See Petition, No. 74.
101. Anthony Woodland. praying pecuniary aid as an old Soldier. Referred to Select Committee, 50. Complied with, 144. Not concurred in by Council, 168.
102. Nathaniel Seabrooks. praying like aid. Referred to Select Committee, 50. Complied with, 144. Not concurred in by Council, 167.
103. Catherine Fero. praying like aid, as widow of the late Christian Fero. Referred to Select Committee, 50. Complied with, 144. Not concurred in by Council, 167.

PETITIONS, *Continued.*

104. Sarah Bate. praying like aid, as widow of the late Alexander Bate. Referred to Select Committee, 50. Complied with, 143. Not concurred in by Council, 167.
105. James Murphy, a disbanded Soldier. praying aid to enable him to obtain a grant to one hundred acres of land, allotted to commuted pensioners. Lie on the Table, 51.
106. Peter Duff. praying a return of duty on goods destroyed by fire on the 14th January, 1837. Referred to Committee of Supply, 51. Complied with, 153.
107. Rev. Robert Archibald, &c. and 118 others. praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College. Lie on the Table, 53. See report of Committee, 234. See Petition, No. 74.
108. Neal M'Lean. praying a return of duty on a puncheon of Rum destroyed by accident. Referred to Committee of Supply, 53. Not complied with, 153.
109. Thoms Armstrong, &c. and 190 others. See Bills, 51. praying an Act may pass erecting the Parishes of Saint Stephen's, Saint David and Saint James into a separate and distinct County. Lie on the Table, 53.
110. John Cuppage, &c. and 93 others. See Bills, No. 34. praying an Act may pass for a division of the Parish of Northesk, County of Northumberland. Lie on the Table, 53.
111. John Baldwin. praying pecuniary aid as an old Soldier. Referred to Select Committee, 54. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
112. John Dick. praying like aid. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 167.
113. Neal M'Nichol. praying like aid. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 167.
114. William Clarke. praying like aid. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 167.
115. William Cornelison. praying like aid. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 168.
116. Ann Grant. praying like aid, as widow of the late Samuel Grant. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 167.
117. Frederick Weaver. praying like aid as an old Soldier. Referred to Select Committee, 54. Complied with, 144. Not concurred in by Council, 168.
118. Robert W. Crookshank, &c. and 53 others. praying that no Act may pass to authorize the imposing of any wharfage duties on the landing and shipping of merchandize at Saint John. Lie on the Table, 54.
119. Alexander Davidson, and 30 others. praying a grant may pass in aid of a Grammar School at Newcastle, County of Northumberland. Lie on the Table, 54. See page, 151.
120. Rev. Michael Egan, &c. and 93 others. praying a grant may pass towards building a School House at Newcastle for the use of the people of the Roman Catholic Church. Referred to Committee of Supply, 54. Not complied with, 153.
121. Governor Tomer and others, Milecite tribe of Indians. praying aid towards the establishment of a School at the French Village, in the County of York, to instruct them in the English language. Negatived, 55.
122. William Abrams, Richard Blackstock, William Letson and 93 others. See Bills, No. 1. praying that an Act may pass incorporating sundry persons by the name of the President, Directors and Company of the Miramichi Bank. Lie on the Table, 56.
123. John Underwood. praying pecuniary aid as an old Soldier. Referred to Select Committee, 56. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
124. Mary Bucket. praying like aid, as widow of William Bucket, an old Soldier. Referred to Select Committee, 56. Complied with, 143. Not concurred in by Council, 167.

PETITIONS, *Continued.*

125. David Quigly. praying pecuniary aid as an old Soldier. Referred to Select Committee, 56. Complied with, 143. Not concurred in by Council, 167.
126. William Hurley. praying like aid as an old Soldier. Referred to Select Committee, 56. Not recommended, 140. Complied with, 143. Not concurred in by Council, 167. See page 220.
127. Jane M'Cardy. praying like aid, as widow of the late Samuel M'Cardy, Esquire, an officer in the revolutionary war. Referred to Select Committee, 56. Complied with, 143. Not concurred in by Council, 167. See page 220.
128. John Dalen, Moses Chambers and 16 others. praying aid towards the erecting a School House at the Dutch valley Settlement, in the Parish of Sussex, King's County. Lie on the Table, 57.
129. Samuel Nevers. praying aid towards erecting an Oat Mill. Referred to Committee on Agriculture, 57.
130. John Bell and 75 others. praying aid to encourage the running of a packet Boat between Shediac and Bedeque in Prince Edward Island. Referred to Committee of Trade, 57. Not recommended by Committee, 127.
131. George M'Kay, Peter M'Callum and 33 others. praying a grant may pass to enable them to finish a Presbyterian Church on Whittier's Ridge, in the Parish of Saint Patrick. Lie on the Table, 57.
132. Rev. A. M'Lean, &c. and others. The like prayer. Lie on the Table, 57.
133. James Crozier and others. praying that Benjamin L. Peters, Esquire, Supervisor of the Great Road between Saint John and the Nova Scotia line, may be ordered to pay to them a balance retained by him on contracts for improving the Marsh Road in the year 1836. Lie on the Table, 57. See page 119. See page 226.
134. Nehemiah Marks and 22 others, Saint Stephen's. praying that the deputy Treasurer at that Port be authorized to collect and receive the Provincial duties on articles imported into that place. Lie on the Table, 57.
135. Robert Rankin & Co., Saint John. praying a return of duty on passengers by the Brig Ann and Mary, in the month of June last. Referred to Select Committee, 57. Recommended by Committee, 102. Complied with, 121.
136. The same. praying return of duty on passengers by the Brig Isadore, in the month of June last. Referred to Select Committee, 57. Recommended by Committee, 102. Complied with, 121.
137. The same. praying a return of duty on passengers by the Brig Susan Jane, in the month of June last. Referred to Select Committee, 57. Recommended by Committee, 102. Complied with, 121.
138. The same. praying a return of duty on passengers by the Brig Leslie Gault, in the month of June last. Referred to Select Committee, 57. Recommended by Committee, 102. Complied with, 121.
139. John M'Lean, Archibald G. M'Lean, George Farris and others. setting forth that the navigation of the River Saint John would be much benefitted by connecting the Split Rock at the entrance of the said river, with the main land, and praying that a wharf or bridge may be erected at that place to accomplish the same. Referred to the Navigation Committee, 58. See Report of Committee, 174.
140. The President &c., of the Charlotte County Bank. praying that an Act may pass to increase the Capital Stock, and for an extension of their Charter. Lie on the Table, 58.
141. John Smith, and 82 others. praying a grant may pass towards improving the navigation of the upper Salmon river. Referred to the Navigation Committee, 58.
142. William R. Sentill, and 15 others. praying a grant may pass towards clearing out wind falls and rocks from the said stream. Referred to the Navigation Committee, 58. Grant recommended by Committee, 174.

PETITIONS, *Continued.*

143. Asher Vail. praying pecuniary aid as an old soldier. Referred to Select Committee, 59. Complied with, 144. Not concurred in by Council, 168.
144. Elias Seacord. praying like aid. Referred to Select Committee, 59. Complied with, 143. Not concurred in by Council, 167.
145. Elizabeth Green. praying like aid, as widow of James Green, an old soldier. Referred to Select Committee, 59. Complied with, 144. Not concurred in by Council, 168.
146. Susan Foster. praying like aid, as widow of Josiah Foster, an old soldier. Referred to Select Committee, 59. Complied with, 143. Not concurred in by Council, 167.
147. Hicks Simmons. praying like aid as an old soldier. Referred to Select Committee, 59. Not concurred in by Council, 167.
148. James Carter. praying like aid. Referred to Select Committee, 59. Not recommended, 140.
149. James Dyer. praying like aid. Referred to Select Committee, 59. Complied with, 143. Not concurred in by Council, 167.
150. Benjamin Collins. praying like aid. Referred to Select Committee, 59. Complied with, 143. Not concurred in by Council, 167.
151. Ann Munroe. praying like aid, as widow of William Munroe. Referred to Select Committee, 59. Complied with, 144. Not concurred in by Council, 167.
152. Jacob Tompkins. praying like aid, as an old soldier. Negatived, 60. Complied with, 143. Not concurred in by Council, 167.
153. Joseph Reed, and 62 others.  
See Bills, No. 1. praying that an Act may pass to incorporate certain persons by the name of The President, Directors and Company of the Miramichi Bank. Lie on the Table, 60.
154. Thomas Smith, and 21 others. praying a grant may pass towards removing obstructions from south branch of Hammond River. Referred to the Navigation Committee, 60. Grant recommended by Committee, 174.
155. John Montgomery, and 22 others.  
See Bills, No. 1. praying that an Act may pass to incorporate certain persons by the name of the President, Directors and Company of the Miramichi Bank. Lie on the Table, 61.
156. Reverend James Hanney, &c., and 176 others. praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College. Lie on the Table, 61. See Petition, No. 74.
157. Reverend John Birkmyre, &c., and 75 others. The like prayer. Lie on the Table, 61. See Petition, No. 74.
158. Reverend Robert Wilson, &c. and 48 others. The like prayer. Lie on the Table, 61. See Petition, No. 74.
159. Richard Ketchum.  
See Bills, No. 39. praying an Act may pass incorporating certain persons under the name of the Carleton Mining Company. Lie on the Table, 62.
160. Maria Niles. praying compensation for teaching School at Woodstock, County of Carleton. Referred to Select Committee, 63. See page 151.
161. John Keiller, Esquire, and 39 others. praying a Grant may pass in aid of individual subscription towards the building of a public Wharf at Dorchester Island, in the said County. Referred to the Navigation Committee, 64. Referred to the House, 175.
162. Mordecai Starkey. praying aid as an old Soldier. Referred to Select Committee, 64. Complied with, 144. Not concurred in by Council, 167.
163. Barnet Manzors. praying like aid. Referred to Select Committee, 64. Complied with, 144. Not concurred in by Council, 168.
164. Thomas Wood. praying like aid. Referred to Select Committee, 64. Not recommended, 140. Complied with, 144. Not concurred in by Council, 168.

PETITIONS, *Continued.*

165. John M'Donald. praying pecuniary aid as an old Soldier. Referred to Select Committee, 64. Complied with, 144. Not concurred in by Council, 167.
166. Benjamin M'Donald. praying like aid. Referred to Select Committee, 64. Complied with, 144. Not concurred in by Council, 167.
167. Armion Hubble. praying like aid. Referred to Select Committee, 65. Complied with, 144. Not concurred in by Council, 167.
168. Charles Foster. praying like aid. Referred to Select Committee, 65. Complied with, 144. Not concurred in by Council, 167.
169. John Wheton, Esquire, and 37 others. See Bills, No. 1. praying that an Act may pass incorporating certain persons by the name of The President, Directors and Company of the Miramichi Bank. Lie on the Table, 65.
170. Woodstock and Fredericton Stage Coach Company. praying Legislative aid towards the support of that establishment. Referred to Committee of Supply, 65. Complied with, 153.
171. John Wheton, Esquire, and 159 others. praying that the line of Road explored between Richibucto River and the head of the Grand Lake may be opened. Referred to the Select Committee to whom were referred the report and exploration from Hugh J. Hansard, Esquire, of that line of Road, 65.
172. John Cook. praying Provincial allowance for teaching a School at Westfield, King's County. Referred to Select Committee, 65. See page 151. Complied with, 169.
173. Edward Pick. setting forth his long services as Sergeant in the Royal Artillery, and that by the recent arrangements of the Government in this Province he is excluded from a free Grant to 200 acres of land, which he would have been otherwise entitled to, and praying for relief in the premises. Lie on the Table, 65.
174. William M'Pherson and Alexander Forbes. praying to be remunerated loss sustained in the performance of a contract for working a part of the Great Road from the Nashwaak to the Miramichi. Lie on the Table, 66. Not recommended by Committee. See reason, 119.
175. Eneas Lapee. praying pecuniary aid as an old Soldier. Referred to Select Committee, 67. Complied with, 143. Not concurred in by Council, 167.
176. Arthur Ritchie & Co. praying the drawback may be granted them on Rum exported to Lower Canada in March last. Referred to Committee of Supply, 69. Complied with, 153.
177. Thomas Lee. praying in consideration of his long services as Sergeant in the Rifle Brigade, he may obtain the usual grant of land allowed to discharged Soldiers. Lie on the Table, 69.
178. Thomas M'Elwain. The like prayer for a grant of land, late a Sergeant in the 43d Regiment. Lie on the Table, 69.
179. Elizabeth Coal. praying pecuniary aid, as widow of the late David Coal, an old Soldier. Referred to Select Committee, 70.
180. Josephus Moore, Alexander Campbell and others. See Bills, No. 43. praying an amendment in the Act of Incorporation of the Saint John and Saint Croix River Canal Company. Lie on the Table, 70.
181. Robert Watson, deputy Treasurer, Saint Stephen's. praying to be reimbursed expenses incurred in the defence of an action instituted against him by William Eills, for an alleged assault when in the discharge of the duties of his office. Referred to Committee of Supply, 70. Complied with, 153.
182. James T. Hanford. praying the drawback may be allowed him on two puncheons Rum exported to Nova Scotia in the year 1836. Referred to Committee of Supply, 70. Complied with, 154.
183. Mayor, Aldermen, &c. City Saint John. See Bills, No. 50. praying that an Act may pass for the establishment of a more efficient Nightly Watch in the said City, and that the power be given to authorize a larger assessment for the support thereof. Lie on the Table, 70.



PETITIONS, *Continued.*

184. Thomas Sime and others, Commissioners of the Poor, Saint Andrews. praying to be reimbursed expenses incurred in the support of emigrants and transient poor in the Parish of Saint Andrews. Referred to Committee of Supply, 77. Complied with, 154.
185. Justices of Peace, Saint John. praying a grant may pass to reimburse the Overseers of the Poor for the Parish of Portland, for expenses incurred in the support and relief of black Refugees. Referred to Committee of Supply, 71. Complied with, 154.
186. John E. Messinett and Hugh McCallum, Overseers Poor, Saint George, County Charlotte. praying to be reimbursed expenses incurred in the support of the poor emigrants in that Parish during the past year. Referred to Committee of Supply, 71. Complied with, 154.
187. Edward T. Whetman. praying compensation for teaching School. Referred to Select Committee, 71. See page 151. Complied with, 169.
188. Benjamin Parker, Joseph Holmes and 70 others. praying that a bounty may be granted to poor fishermen on fish actually taken in British waters. Referred to Select Committee on Fisheries, 71.
189. James Allan and 19 others. English Emigrants, settlers at Stanley, in the County of York, on lands belonging to the Nova Scotia and New Brunswick Land Company, setting forth the gross misconduct of the said Company, and praying relief, 71.
190. Justices Peace, Saint John. praying to be reimbursed expenses paid towards the support and relief of sick, indigent and distressed emigrants in the City and Parish of Saint John during the past year. Referred to Committee of Supply, 71. Complied with, 154.
191. Justices Peace, City and County of Saint John. praying that the Overseers of the Poor for the Parish of Portland may be reimbursed advances made towards the support and relief of sick, indigent and distressed emigrants during the past year. Referred to Committee of Supply, 71. Complied with, 154.
192. Patrick Clinch, Esquire, and 29 others. praying a Grant may pass towards removing obstructions from the Magaguadavic River, above the Forks thereof, as also from the Piskehagon or branch of the said River. Referred to the Navigation Committee, 71.
193. Dominique Robicheau and William Dixon, Overseers of Poor for the Parish of Wellington, County of Kent. praying to be reimbursed expenses incurred for the support of transient poor in the said Parish. Referred to Committee of Supply, 72. Complied with, 154.
194. Stephen Pine and 11 others, Branch Pilots. See Bills, No. 81. praying an amendment in the Laws relating to Pilots. Referred to Committee of Trade, 72. Bill reported by Committee, providing the alteration prayed for, 127.
195. Hugh Ramsay and Archibald Ramsay. praying to be reimbursed amount expended in clearing out the West Branch of the Main South East Upsalquitch Stream, as also in opening a Road from the same to the north west branch of the said River. Lie on the Table, 72. Referred to Navigation Committee, 166. Complied with, 175.
196. John N. Simmonson and Benjamin Churchill. praying that the Provincial allowance may be granted to enable them to remunerate William Gray for teaching a School in the Parish of Wakefield, 72. Referred to Select Committee, 72. See page 151. Not complied with, 169.
197. James T. Hanford. praying drawback on a puncheon of Rum and on a hogshead of Sugar exported to Annapolis, Nova Scotia, in January, 1837. Referred to Committee of Supply, 73. Complied with, 154.
198. President, &c. New Brunswick Assurance Company. See Bills, No. 56. praying that an Act may pass to amend the Law incorporating the said Company. Lie on the Table, 73.
199. John Kerr and Edmund Kaye. praying a return of extra head money paid by them on passengers brought into Saint John in the Barque James Lemon. Referred to Select Committee, 73. Recommended by Committee, 102. Complied with, 122.
200. Edmund Kaye and others. See Bills, No. 55. on behalf of the Saint Andrews and Saint John Stage Company, praying the same may be incorporated. Lie on the Table, 74.

PETITIONS, *Continued.*

201. John M'Claskey. praying remuneration for loss sustained under contract in making a part of the Road from Fredericton to Magaguadavic, in the year 1836. Lie on the Table, 74. Not recommended by Committee. See reason, 119.
202. Margaret Merry. praying compensation for teaching School for one year, ending in July, 1836, in Newcastle, County of Northumberland. Referred to Select Committee, 74. See page 151. Complied with, 169. Not concurred in by Council, 198.
203. John M'Lauchlan. praying the Provincial allowance for teaching a School in the Parish of Fredericton, ending in August, 1836. Referred to Select Committee, 74. See page 151. Complied with, 169. Not concurred in by Council, 198.
204. Roderick M'Leod. praying a bounty for erecting an Oat Mill in the Parish of Alnwick, in the County of Northumberland. Referred to Committee on the Agricultural interests of the Province, 74.
205. Ichabod Lewis, &c., and 15 others. praying Legislative aid in erecting a free Meeting House at the Bend of Peticodiac River. Negatived, 74.
206. Justices Peace, Saint John. See Bills, No. 58. praying that an Act may pass authorizing them to erect and establish a House of Correction in said City, or within any of the adjoining Parishes, and for other purposes as stated in the said Petition. Lie on the Table, 74.
207. Reverend James Steven, &c., and 78 others. praying that measures may be adopted for the removal of certain restrictive clauses from the Charter of King's College. Referred to Select Committee, 75. See Petition, No. 74.
208. Donald M'Grigor. praying aid towards building an Oat Mill. Referred to Select Committee on the Agricultural interests of the Province, 75.
209. Harris Hatch, &c., and 41 others. See Petition, No. 41. praying a grant to assist in running a Mail Coach between Saint Andrews and Saint John. Referred to Committee of Supply, 75. See grant, with a condition, 154.
210. William M'Dougal, late a Sergeant in the 43d Light Infantry. praying the usual free grant of land, as allowed to discharged soldiers upon their settlement in the Colony. Lie on the Table, 75.
211. John V. Thurgar. praying drawback on a puncheon of Rum exported to Nova Scotia in November, 1836. Referred to Committee of Supply, 75. Complied with, 154.
212. John Hamilton. praying compensation for teaching School at Newcastle, County of Northumberland. Referred to Committee of Supply, 75. See page 151. Complied with, 154.
213. Jane Davidson. praying like compensation for teaching a school at Nelson. Referred to Committee of Supply, 75. See page 151. Complied with, 168. Not concurred in by Council, 197.
214. John C. Vail, &c., and 82 others, of King's County. praying an increase of Representation for the said County. Lie on the Table, 75.
215. W. D. W. Hubbard. praying that Legislative provision may be made for his services as one of the appraisers of dutiable goods within the city of Saint John. Referred to Committee of Trade, 75. Not recommended, 127.
216. John Wilson, Esquire, and 1500 others. See Petition, No. 47. praying that a grant may pass towards liquidating the debt due for the erection of the Baptist Seminary in Fredericton. Referred to Committee of Supply, 76.
217. Joseph Robinson, &c., and 40 others. See Bills, No. 10. praying that the Parish of Hopewell, in the County of Westmorland, may be divided into three separate and distinct Parishes. Lie on the Table, 76.
218. Hugh M'Kinley, &c., and 75 others. The like prayer. Lie on the Table, 76.
219. John Rogers, &c., and 30 others. The like prayer. Lie on the Table, 76.
220. William A. Peck, and 56 others. The like prayer. Lie on the Table, 76.

PETITIONS, *Continued.*

221. John King, Samuel Coates and 16 others. praying aid to remove obstructions out of Smith's Creek, so called, in Sussex, King's County. Referred to the Navigation Committee, 76. Grant recommended by Committee, 174.
222. C. L. Hathaway, &c., and 15 others. praying that no alteration may be made in the Great Road leading through the Parish of Lancaster, and further, that the sum appropriated for the purpose of making the alteration be re appropriated and expended on the present Road. Lie on the Table, 76. Committee recommended that alteration be suspended until Report be made by the Supervisor, 119.
223. John Busted, and N. W. Busted. setting forth that great damage had been done to their property by some persons unknown, and praying to be indemnified for the loss sustained. Lie on the Table, 76.
224. Joshua Chappell. praying aid to assist him in running a Stage between Bay Verte and Jolicure, in the County of Westmorland. Referred to Committee of Supply, 76. Not complied with, 155.
225. Moses H. Perley, Esquire. praying that an investigation may take place as to a purchase made by him from the Crown, of 80,000 acres of land, and that the deposit paid by him of £500 may be refunded, or such relief in the premises as the House may seem meet. Lie on the Table, 76. Referred to a Select Committee to Report thereon, 90.
226. Henry G. Clopper, Esquire, and others, Commissioners of the Alms House for the County of York. praying to be reimbursed expenses in support of poor and distressed emigrants, during the year ending 31st December last. Referred to Committee of Supply, 77. Complied with, 155.
227. Henry G. Clopper, Esquire. praying to be refunded amount advanced by him in relieving distressed Seamen of the Brig Caroline, wrecked at Caraque Island, and towards forwarding them to Saint John, Referred to Committee of Supply, 77. Complied with, 155.
228. Edward Poynter. praying aid to build an Oat Mill at Cold Water Brook, County of Carleton. Referred to Select Committee on Agriculture, 77.
229. Rector and Vestry of Christ's Church, Fredericton. See Bills, No. 62. praying an Act may pass to enable them to give titles, in fee simple, of leased lands. Lie on the Table, 77.
230. Isaac Turner, &c., and 247 others. See Bills, No. 63. praying the western part of the County of Westmorland may be erected into a separate and distinct County. Lie on the Table, 77.
231. Charles Coughlan and Duncan Hay. relative to the deep sea Herring Fisheries, on the coast of the County of Gloucester, praying that the same may be protected by Legislative enactment. Referred to Select Committee on Fisheries, 77. See Report of Committee, 102. See grant for negatived, 220.
232. Hugh M'Kay, Esquire, and 800 others, County of Charlotte. See Petition, No. 38. praying that the consideration of the Petition of William Fitz. William Owen, Esquire, and others, complaining of the undue election and return of Robert Thomson, Esquire, may be postponed until witnesses can be adduced on behalf of the sitting Member. Lie on the Table, 77.
233. John Wilkinson and 110 others. The like prayer. Lie on the Table, 77.
234. Joshua Knight, County of Charlotte. praying that further time may be allowed for entering into the recognizance required before prosecuting the Petition of himself and others, against the election of that County. Lie on the Table, 78. Complied with, 78. Order of the day discharged, 84.
235. Justices Peace, Saint John. See Bills, No. 66. praying that an Act may pass for the erection of an Alms House, Work House and public Infirmary, and authorizing an assessment for that purpose; also praying a grant in aid to assist in the erection thereof. Lie on the Table, 78. Referred to Committee of Supply, 212. Complied with, 219.

PETITIONS, *Continued.*

236. Nathaniel O'Donnell. praying a return of duty on 99 gallons of Rum destroyed by accident in November last. Referred to Committee of Supply, 78. Not complied with, 155.
237. H. G. Clopper, Esquire, &c. and others. See Bills, No. 48. praying that an Act may pass relating to public Landings and Squares in the Town of Fredericton. Lie on the Table, 78.
238. Isaac Turner, &c. and 61 others. praying a grant may pass towards the erection of a Light House on Cape Enrage in the Bay of Fundy. Referred to Committee on Light Houses, 78. Recommended by Committee. See 105. Referred to Committee of Supply, 105.
239. William Woodforde, M. D. praying compensation for services performed in vaccinating the poor in various parts of the County. Referred to Committee of Supply, 78. Complied with, 155.
240. Alexander Campbell, &c. and 130 others, Commissioners of Highways for the Parish of Saint Stephen's, and Commissioners for Saint Andrews, and others. praying alterations in the Road between those Parishes, and that a sum may be granted towards making the same. Lie on the Table, 79. Committee recommended a grant for exploring said Road, 119.
241. George Brown, &c. and 137 others. See Bills, No. 66. praying that any Act which may pass during the present Session for the erection of an Alms House in the County of Saint John may not be extended to the Parish of Saint Martins. Lie on the Table, 79.
242. G. Clowes Osman, &c. and 34 others. The like prayer, respecting the Parish of Lancaster. Lie on the Table, 79.
243. John C. Beckwith. praying the Provincial allowance for teaching School in the Parish of Hopewell, County of Westmorland. Referred to Select Committee, 79. See page 151. Not complied with, 170.
244. Rev. Robert Wilson, and others. praying for a modification of the Charter of the Madras institution in this Province. Lie on the Table, 79.
245. W. H. Mowat, Hugh Cayin and 80 others. praying that no alteration be made in the line of Road between Saint Stephen's and Saint Andrews. Lie on the Table, 79. Committee recommended a grant for exploring said Road, 119.
246. L. A. Wilmot, Esquire. praying compensation for loss of time for his services in the late Deputation to England. Referred to Committee of Supply, 79. Complied with, and division on, 228. Not concurred in by Council, 235.
247. Honorable William Botsford and others. praying a grant may pass in aid of individual subscription, towards building an Aboideau over the Au Lac River, in the County of Westmorland. Referred to Committee of Supply, 79. See resolution not to make any grant without further information, 222.
248. James Swim and William Swim. praying some further aid towards running a line of Stages between Fredericton and Miramichi. Referred to Committee of Supply, 80.
249. John Brewer and others. praying an alteration may be made in that part of the Canada Great Road lying between Camber's Creek and M'Kean's. Lie on the Table, 80. See page 119.
250. James A. Maclauchlan and others, Commissioners for Indian affairs. praying some further grant towards the assistance of the Milecite Tribe, to relieve them in their distress. Referred to Committee of Supply, 80. See page 222.
251. Justices Peace, Saint John. praying to be reimbursed for expenses incurred in the support of the temporary Lunatic Asylum during the past year. Referred to Committee of Supply, 250. Complied with, 168.
252. Joseph Robinson and others. setting forth that a public Wharf on the Shepody River would be a great benefit to the Commercial and Lumbering interests in that place, and praying a grant in aid towards building the same. Referred to Navigation Committee, 80.
253. Gould Pickett, Esquire, and 28 others. praying an alteration in the Great Road from the head of Bellisle to Saint John. Lie on the Table, 80. No report from Supervisor, therefore not complied with, 119.

PETITIONS, *Continued.*

254. Patrick Burke. praying to be remunerated loss sustained in performance of contract for making certain parts of the Road leading from Fredericton to Saint Andrews. Lie on the Table, 80. Not recommended by Committee See reasons, 119.
255. Alexander M'Grotty, Samuel Jordan and 11 others, Surveyors of Lumber in the City of Saint John. praying an alteration in the Lumber Law. Referred to Select Committee, 80.
256. Tristram Moore, Esquire, &c. and others: praying that a grant may pass towards the relief of several distressed families in the Parishes of Saint Stephen, Saint David and Saint James, in the County of Charlotte. Referred to Committee of Supply, 80. See page 168.
257. Xenophon Jouett, Esquire. setting forth his very long services as Gentleman Usher of the Black Rod, and which situation, from his advanced age, he was obliged to resign, and praying remuneration in consequence thereof. Referred to Committee of Supply, 81. Not complied with, 168.
258. Robert F. Hazen, Esquire, and 34 others. praying a grant may pass towards opening and completing a new line of Road, commencing at the Forks of the Westmorland and Marsh Roads, thence in a straight line to Loch Lomond settlement. Lie on the Table, 81. To be explored, see 119.
259. W. H. Needham, James Killen and 150 others. praying that measures may be adopted to prevent the use of Ardent Spirits. Lie on the Table, 81.
260. New Brunswick Fire Insurance Company. See Bills, No. 56. praying certain alterations in their Act of incorporation. Lie on the Table, 81.
261. James Reid. praying a remission of duty may be granted him on passengers brought into the Port of Saint Andrews, by the Robert Watt, from Cork, in July last. Referred to Select Committee, 81. Recommended by Committee, 102. Complied with, 122.
262. Richard Bartlett. praying drawback on a puncheon of Rum lost by accident in the month of May, 1836, when taking the same on board for Fredericton. Referred to Committee of Supply, 82. Not complied with, 168.
263. Robert Lindsay and others, Overseers of the Poor for the Parish of Saint Stephen's, in the County of Charlotte. praying a grant may pass to reimburse expenses incurred in the support of transient poor in that Parish. Referred to Committee of Supply, 82. Complied with, 168.
264. Richard M'Farlan. with plans of proposed fishways to be erected on streams obstructed by the building of Mill Dams, and praying Legislative aid to enable him to prove the efficacy of such ways. Lie on the Table, 82.
265. Alexander M'Kenzie. praying pecuniary aid as an old Soldier. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
266. William M'Pherson. praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
267. Donald M'Donald. praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
268. David Bruce. praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
269. John Kennedy. praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
270. James Ross. praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.

PETITIONS, *Continued.*

271. *Patience Hasty.* praying like aid; on behalf of her husband, who is now very aged; and deprived both of his sight and reason. Referred to Select Committee, 82. Complied with, 144. Not concurred in by Council, 167.
272. *Ralph London, Senior.* praying like aid. Referred to Select Committee, 82. Complied with, 144. Not concurred in by Council, 168.
273. *Dugald Clark.* praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
274. *Peter McCallum.* praying like aid. Referred to Select Committee, 82. Not recommended, 140.
275. *John Black.* praying like aid. Referred to Select Committee, 82. Not recommended, 140.
276. *Enoch Groom.* praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
277. *William Wright.* praying like aid. Referred to Select Committee, 82. Not recommended, 140.
278. *Abigail Sutherland.* praying like aid, as widow of John Sutherland; an old soldier. Referred to Select Committee, 82. Complied with, 144. Not concurred in by Council, 167.
279. *Catherine Stewart. See Petition, No. 91.* praying like aid, as widow of James Stewart, an old soldier. Referred to Select Committee, 82. Complied with, 144.
280. *Joseph Madgett.* praying pecuniary aid, as an old soldier. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
281. *William Mills.* praying like aid. Referred to Select Committee, 82. Complied with, 143. Not concurred in by Council, 167.
282. *Lyman Gray.* praying like aid. Referred to Select Committee, 82. Complied with, 144. Not concurred in by Council, 167.
283. *Charles Phely.* praying like aid. Referred to Select Committee, 82. Not recommended, 140.
284. *Jarvis Worden.* praying like aid. Referred to Select Committee, 82. Not recommended, 140.
285. *Mary Horton.* praying like aid, as widow of the late Lieutenant Horton. Referred to Select Committee, 83. Complied with, 144. Not concurred in by Council, 167.
286. *Reverend John Dunn, and others.* praying Legislative aid towards the erection of a Mill for the manufacture of Flour and Oat Meal, on Grand Manan. Referred to Committee of Supply, negatived, 84.
287. *President &c., of the Tobique Mill Company.* praying that the House will recommend a grant to pass to them of a portion of the land purchased from the Crown at the River Tobique. Rule dispensed with. Lie on the Table, 85. Referred to a Select Committee to report thereon, 125. See report of Committee, 165. To go into Committee on report, negatived, 231.
288. *John Bedell, Junior, Esquire, and others.* praying an Act may pass authorizing certain streets to be laid out, of less than four rods in width, in Woodstock, County of Carleton. Rule disposed with. Lie on the Table, 86.
289. *Nehemiah Merritt, &c., and 80 others. See Bills, No. 92.* praying an amendment to the Act for the more effectual prevention of fires within the said city. Rule dispensed with. Lie on the Table, 89. Referred to Select Committee to report thereon, 99.
290. *George Stevens, and 135 others.* praying a division of the County of Westmorland, and that the Parishes of Hillsborough and Coverdale may form a part of the New County. Rule dispensed with. Lie on the Table, 96.
291. *James Davidson.* praying pecuniary aid as an old Soldier. Rule dispensed with and referred to Select Committee, 96. Complied with, 143. Not concurred in by Council, 167.

PETITIONS, *Continued.*

262. Angus M'Fee. praying pecuniary aid as an old soldier. Rule dispensed with and referred to Select Committee, 96. Complied with, 143. Not concurred in by Council, 167. Complied with, 220.
293. Alexander M'Lean. praying like aid. Rule dispensed with, and referred to Select Committee, 96. Complied with, 143. Not concurred in by Council, 167.
294. Matthew Carruthers. praying the Provincial allowance for teaching a School at Newcastle, County Northumberland, from August, 1832, to June, 1833. Rule dispensed with, and referred to Select Committee, 96. See page 151. Complied with, 169.
295. David Creighton. praying the like allowance for teaching School at the same place, from December, 1832, to June, 1833. Rule dispensed with, and referred to Select Committee, 96. See page 151. Complied with, 169.
296. James Peters, &c. and 169 others.  
See Bills, No. 92. praying an amendment to the Act for the more effectual prevention of fires within the City of Saint John. Rule dispensed with. Lie on the Table, 99.
297. Robert F. Hazen, Esquire, &c., and 64 others, St. John, See Bills, No. 92. praying that no alteration be made in the Law for the more effectual prevention of fires within the said City. Rule dispensed with. Lie on the Table, 99.
298. Justices of the Peace, County of Carleton.  
See Bills, No. 42. praying that an Act may pass authorizing an assessment to pay off the County debt. Rule dispensed with. Lie on the Table, 99.
299. Robert W. Crookshank, &c. and 50 others.  
See Bills, No. 75. praying some Legislative provision for the encouragement of the cod and other fisheries, by granting a bounty on vessels engaged therein. Rule dispensed with. Lie on the Table, 100.
300. Grand Jury, of the County of Carleton.  
See Bills, No. 42. praying that no Act may pass to assess the said County for the payment of the County debt. Rule dispensed with. Lie on the Table, 100.
301. Thomas G. Cunliffe, and others. See Bills, No. 42. The like prayer. Rule dispensed with. Lie on the Table, 100.
302. Thomas H. Black. praying the Provincial allowance for teaching a School at Magaguadavic. Rule dispensed with. Referred to Select Committee, 100. Complied with, 169.
303. William Eagles, &c., and 61 others. praying a grant may pass towards improving the navigation of the River Saint John, by removing the projection of rock at the west head, opposite the Split Rock, at the entrance of the said river. Rule dispensed with, and referred to the Navigation Committee, 100. See report of Committee, 174.
304. William G. Cody, &c., and 77 others. praying that the provisions of an Act for the erection of an Alms House and Work House for the County of Saint John, may not extend to the eastern section of the Parish of Portland. Rule dispensed with. Lie on the Table, 103.
305. Bashaba E. Nevers. praying the Provincial allowance for teaching a School in the Parish of Burton. Rule dispensed with. Referred to Select Committee, 104. See page 151. Complied with, 169. Not concurred in by Council, 198.
306. Roger Welsh. praying aid as an old soldier. Rule dispensed with, and referred to Select Committee, 108. Complied with, 143. Not concurred in by Council, 167.
307. Alex. Wedderburn, Esquire, Emigrant Agent at Saint praying an increase of salary. Presented to the House by command of his Excellency, 109. Referred to a Select Committee to report thereon, 115. Reported and recommended by Committee, 136. Referred to Committee of Supply, 136. Complied with, 204.
308. John Kinnear, &c., and 71 others, Merchants, &c. praying that an Act may pass to authorize the inspection of Flour and Meal. Rule dispensed with, 109. Lie on the Table, 109. Referred to Committee of Trade to report thereon, 163. See report of Committee. Inquiries to be

PETITIONS, *Continued.*

- made during the recess, and reported at the next session of the Legislature, by bill or otherwise, 203.
309. Charles O'Connor. setting forth that he is desirous of forming an establishment for the accommodation of travellers on the Portage Road, between the Restook River and the Great Falls, and praying Legislative aid. Rule dispensed with, 110. Lie on the Table, 110. Referred to a Select Committee to report thereon, 110. See report of Committee, 133.
310. David B. Wetmore and John Barbarie, Esquires. praying that the division line between the Counties of King's and Queen's may be further run out and completed. Rule dispensed with. Lie on the Table, 110.
311. Mary Ogden. praying pecuniary aid, as widow of the late Robert Ogden, an old soldier. Rule dispensed with. Referred to Select Committee 113. Complied with, 143. Not concurred in by Council, 167.
312. Elizabeth Williams. praying remuneration for teaching a School at Chatham, for one year, ending September, 1834. Rule dispensed with and referred to Committee of Supply, 117. See page 151. Complied with, 168.
313. President &c., of the Saint John Water Company. See Bills, No. 91. praying an amendment to their Act of Incorporation. Rule dispensed with, 125. Lie on the Table, 125.
314. Abigail Porter. praying pecuniary aid, as widow of the late John Porter, an old soldier. Rule dispensed with, and referred to Committee of Supply, 126. Not Complied with, 168.
315. Catherine Young. praying like aid, as widow of William Young, an old soldier. Rule dispensed with, and referred to Committee of Supply, 126. Not complied with, 168.
316. Isaac Adams. praying like aid, as an old soldier. Rule dispensed with, and referred to Committee of Supply, 130. Complied with, 143. Not concurred in by Council, 167. See page 168. Complied with, 220.
317. John Moore. praying like aid, as an old soldier. Rule dispensed with, and referred to Committee of Supply, 130. See page 168.
318. James Gallagher, &c., and 66 others. See Bills, No. 83. praying that they may be incorporated under the name and style of Saint John Benevolent Society. Rule dispensed with. 132. Lie on the Table, 132.
319. Thomas Smith. praying pecuniary aid as an old soldier. Negated, 132.
320. President, &c. Saint John Bridge Company. praying relief by Legislative enactment and otherwise, in consequence of the very heavy loss sustained by the falling of the Bridge in August last, for the reasons stated in the said Petition. Negated, 133.
321. James Whitney. praying a grant may pass refunding him the amount of duties paid on Steam Machinery imported from the United States. Rule dispensed with, and referred to Committee of Supply, 135. Complied with, 195. Not concurred in by Council, 215.
322. James Whitney. praying the usual grant may pass for carrying the mail between the City of Saint John, Digby and Annapolis. Rule dispensed with, and referred to Committee of Supply, 135. Complied with, 219.
323. John Ogden. praying pecuniary aid as an old Soldier. Rule dispensed with, and referred to Select Committee, 136.
324. Susan Boyle. praying like aid, as widow of Charles Boyle, an old soldier. Rule dispensed with, and referred to Select Committee, 136.
325. William Slader. praying like aid as an old Soldier. Rule dispensed with, and referred to Select Committee, 136.
326. Sarah Crane. praying pecuniary aid, widow of Daniel Crane, an old Soldier. Rule dispensed with, and referred to Select Committee, 137.



**PETITIONS, *Continued.***

327. John Cunningham. praying to be reimbursed amount expended in the erection of a School House in Grand Manan. Negatived, 137.
328. Thomas W. Wood. praying that a certain voucher connected with the Treasurer's Accounts for the year 1834, and now on the files of the House may be delivered over to him. Lie on the Table, 144. Ordered that the Clerk of this House do deliver over to the said Thomas W. Wood the voucher prayed for in said Petition, 144.
329. William Cox. praying pecuniary aid, as an old Soldier. Rule dispensed with, and referred to Committee of Supply, 145. Not complied with, 168.
330. George Harding, Junior, &c. praying the Provincial allowance to enable them to pay James Miller for teaching School in the Parish of Westfield. Rule dispensed with, and referred to Select Committee, 128. See page, 151. Complied with.
331. Donald M'Kay, Esquire, William N. Venning, and 31 others. praying an amendment in the Grammar School system. Entry omitted in the Journal of the 18th January last. Lie on the Table, 165.
332. Robert Foulis, Saint John. praying Legislative aid towards the encouragement of a public Seminary, where the rudiments of Mechanical Philosophy, Chemistry &c., may be defined. Rule dispensed with. Referred to Committee of Supply, 166. Complied with, 228.
333. James Bradley, and others. praying Legislative aid for carrying the Mail between Saint John and Fredericton. Rule dispensed with, and referred to Committee of Supply, 198. Complied with, 227.
334. Henry E. Dibble, Esquire. praying some adequate and permanent allowance may be secured to him for his services as Sub-Collector at Woodstock. Presented to the House by command of His Excellency, 221. See grant for, 226.
335. Richard M'Gee and 44 others. complaining of bribery and corruption on the part of William Fitz William Owen, Esquire, at the late Election for the County of Charlotte, and praying that his seat may be declared vacated and a new writ issued. Lie on the Table, 230. See order to go into the consideration of Petition next Session of Legislature, 241.

Pensioners Grants to. See Report, 189, 143. See 167.

Petitions and Bills, limitation for bringing in, 9.

Postage to Members of the Legislature, 58. Committee appointed, 58. Reported, 90. See Resolution, 91.

Postmaster to furnish the Clerk of this House weekly accounts of the Postages chargeable to each Member, 137.

Provincial archives and public building for. See grant for, 170.

Privileges of House demanded by Mr. Speaker, 7. Granted, 7. See Committee appointed, 8.

Prison Discipline. See Despatch from Secretary of State, 44.

Printer, Queen's, his accounts laid before the House; also Letter from him, 159. Referred to Committee of Supply, 201.

Province Treasurer's Account laid before the House for the year ending 31st December last, 57.

Public Service. See Committee of the whole.

Previous Question. See Page 234.

Parish and County Rates.

See Bills, No. 24.

Peticodiac Wet Dock Company.

" " 14.

Physic and Surgery.

" " 94.

Pilots.

" " 81.

Portland Parish division.

" " 7.

Province, Civil Government of.

" " 11.

Public Landing, Indian Town.

" " 26.

Public Landings and Squares, Fredericton.

" " 48.

Parker, Benjamin, J. Holmes and 70 others.

" " 188.

Peck, William A., and 56 others.

" " 220.

Pendlebury, John.

" " 37.

Perkins, Cyrus.

" " 59.

Perley, Moses H., Esquire.

" " 225.

Peters, James &c., and 64 others.

" " 296.

Pick, Edward.

" " 173.

Pine, Stephen, and 11 others.

" " 194.

Pickett, Gould, Esquire, and 28 others.	See Bills, No. 253.
Phely, Charles.	" " 283.
Pond, John.	" " 90.
Porter, Abigail.	Petition from, No. 314.
Paynter, Edward.	" " 228.
President &c. Assurance Company, New Brunswick.	" " 198.
President &c. Tobique Mill Company, 287.	" " 287.
Prince, Joseph.	" " 9.



Queen's and King's Counties division line. See Address, 132.

Queen's County assessment for Poor for the year 1836, 20.

" " Bye Roads grants for, 180.

Queen's Printer, letter from and his accounts, 159. Referred to Committee of Supply, 201.

Quebec and Saint Andrews Rail Road, 27. Plans and Surveys, 58. See Appendix, No. 3.

Quit Rents. Schedule of Lands escheated for non-payment of, 45. See Appendix, No. 5.

" " See Letters from the Clerks of several of the Counties, praying compensation for services performed relating to Quit Rents, 199. Referred to Committee of Supply, 202. Complied with, 219.

Qualification of Jurors. See Bills, No. 20.

Queen's County Grammar School. " " 36.

" " Circuit Courts. " " 99.

Quit Rents. Escheated Land, 105.

Quigly, David. Petition from. No. 125.

Resolution to address the Governor in answer to Speech, 8.

" to appoint a standing Committee of Privileges, 8.

" to appoint a Select Committee on Roads, 9.

" appointing Rev. James Somerville, Chaplain, 9.

" appointing Committee of Trade, 9.

" appointing Committee to revise the Rules and Regulations of the House of Assembly, 9.

" appointing Committee for improving the navigation of Rivers, Bays and Harbours, 9.

" appointing Committee on expiring Laws, 9.

" appointing Committee on Light Houses, 9.

" appointing Committee of Finance, 9.

" appointing Committee on Agriculture, 9.

" on all Petitions from old Soldiers, 10.

" on all Petitions for teaching School, 10.

" on Lumbering interests, 11.

" on Fisheries, 11.

" on all Petitions relating to double head money on passengers, 12.

" on publication of the Debates of the House, 13. See also 19.

" on Public and Private Accounts, 13.

" to wait on His Excellency to know when he will be pleased to receive the House with Address in answer to Speech, 14.

" that Address be signed by Mr. Speaker, and presented by the whole House, 14.

" on that part of Governor's Speech relative to Canada, 19.

" appointing Select Committee to carry into effect the objects contemplated by the Resolution passed in Committee of the whole on Governor's Speech, 19.

" to address His Excellency to direct that accounts of Her Majesty's Customs may be laid before the House, also accounts of Imports and Exports for the year 1837, 19.

" that His Excellency will be pleased to direct the same information to be laid before the House by the Collector and Controller of Her Majesty's Customs at the Port of Saint Andrews, 19.

" that this House will make no provision for reporting its Debates unless published semi-weekly in Fredericton, 19.

" that the thanks of this Province are due and should be presented to Sir Francis Bond Head and the gallant Militia of Upper Canada, for their able, prompt and energetic expression of the insurrection which lately took place in the neighbourhood of Toronto, 27.

" resolved unanimously, that the conduct of our fellow subjects in Upper Canada on this memorable occasion, so fully in accordance with their former high spirit and character, afford a glorious example to the sister Colonies, and cannot fail to quicken the zeal and animate the exertions of every loyal heart in these Colonies in support and defence of the liberties they enjoy under British Laws and Institutions, 28.

" resolved unanimously, that our fellow subjects in Upper Canada may rest assured of the lively sympathy of the inhabitants of this Province and of our most zealous co-operation in maintaining the Royal authority, 28.

" resolved unanimously, that an humble address be presented to His Excellency the Lieutenant Governor, praying that he will be pleased to transmit these Resolutions to His

- Excellency Sir Francis Bond Head, Lieutenant Governor of Upper Canada, and likewise Resolved, that the Legislative Council be requested to join in the said Resolutions, 28. See 29.
- Resolution, that an humble Address be presented to His Excellency, praying for copies of the different forms of Licence granted to Ministers and Clergymen of various denominations of Christians authorised to solemnize Marriage in this Province; also copies of the Marriage Licence issued to parties, and a copy of any rules or regulations to be observed by Ministers or Clergymen applying for Licence to celebrate Marriage, 30.
- “ on Supplies for the Public Service. See 28, 34, 122, 123, 133, 141, 143, 146, 151, 152, 153, 154, 155, 168, 187, 195, 202, 203, 204, 208, 219, 221, 223, 226.
- “ that the Address presented to the House from the Montreal Constitutional Association be set out at length on the Journals of this House, 39.
- “ that an humble Address of Condolence on the death of His late Majesty King William the Fourth, and of Congratulation on the accession of Her present most gracious Majesty to the Throne of Her Ancestors; and further Resolved, that the Honorable the Legislative Council be requested to join in the said Address, 45. See 111, 124.
- “ that a Committee be appointed to join the Committee of the Legislative Council in preparing the above Address, 49.
- “ that an humble Address be presented to His Excellency praying that he will be pleased to cause to be laid before this House, a return of Her Majesty's Casual and Territorial Revenue of this Province, together with such other information in relation thereto, 50.
- “ that an humble Address be presented to His Excellency, praying that he will be pleased to direct to be laid before this House an account of the income and expenditure of King's College for the year 1837, with the numbers and names of Students; also a statement of the quantity of Land belonging to the said College; also a copy of the Royal Charter, and also a copy of existing Statutes and Ordinances for the government of the said College, 51.
- “ that several resolutions be laid on table predicated upon the Address from the Constitutional Association of the City of Montreal, for the perusal of Members, 63.
- “ that an humble Address be presented to His Excellency praying a return of the lots, tracts and parcels of Land granted or reserved for Churches and Schools in this Province, and in what County, dates of grants or reservations, with the number of acres in each lot, 63. See 109.
- “ that an humble Address be presented to Her Majesty, praying that Her Majesty will be graciously pleased to direct that the exaction of the usual Oaths of Office may be dispensed with, 64.
- “ that the several Petitions presented to the House praying an amendment in the College Charter, as also the several Documents now communicated, be referred to a Select Committee to report thereon, 67.
- “ see fourteen resolutions on the several Messages received from His Excellency the tenant Governor, 68. Also appointing Committees on the above resolutions, 69.
- “ that the several Petitions both for and against alterations in Roads, as well as those for Moities advanced and for loss sustained on Contracts, be referred to a Select Committee to report thereon, 86.
- “ that information should be laid before the House of all tracts of Land reserved for the use of Indians in this Province, &c., 88.
- “ that it is necessary that directions should be given to have the survey of the tract of Land purchased by the New Brunswick and Nova Scotia Land Company completed without delay, 90.
- “ that it is the opinion of this House that a particular statement of all Lands granted to, reserved for or holden by the Ordnance Department in this Province, be laid before the House, 90. See Appendix, No. 3.
- “ respecting Postage of Letters to be paid by the Members of the House, and account furnished at the end of the Session, 91.
- “ that it is necessary that the House be furnished with an official copy of the Lieutenant Governor's Commission, and also of the Royal Instructions which have from the first establishment of the Province to the present time been sent out to the several Administrators of the Government of the Province, and now in force in the same, 96.
- “ on plan and report of John Wilkinson, Esquire, relating to the Survey &c. of the Road from Woodstock to Oak Bay, should be referred to Select Committee to report thereon, 98. See 110.
- “ relative to the erection of some building for the safe deposit of the Provincial Archives, should be referred to a Select Committee to report thereon. Division on, and referred to Committee of Supply, 98.
- “ on the subject of making a permanent provision for the Master of the Rolls, to be referred to a Select Committee to report thereon, 98, 99.

Resolution, appointing Select Committee to examine into the expenditure of repairing and furnishing Government House, 107.

- “ that an humble Address be presented to His Excellency requesting him to direct the Sheriff of the County of Carleton to make out a statement in detail of the amount of money collected by him as Sheriff as aforesaid, for fines &c., 117.
- “ See Resolutions on several Messages from the Governor, 114.
- “ in Committee of Supplies. See Committee of the whole.
- “ that an humble Address be presented to His Excellency praying that he will be pleased to direct to be laid before the House an account of all fees and perquisites of office, 118.
- “ appropriating the sum of £300 towards the relief of the Wives and Children of Soldiers who have been ordered on service to Canada, 126. See 129.
- “ on report of Committee on Lumbering interests of this Province, 128; 129.
- “ praying that His Excellency will be pleased to communicate a copy of the Address of the 17th January last, respecting the survey of the Bay of Fundy, to the Lieutenant Governor of Nova Scotia, with a request that he will bring the subject under the consideration of the Legislature of that Province, 135.
- “ praying that His Excellency will be pleased to direct the Law Officers of the Crown to lay before this House their respective opinions as to the legal construction of the Marriage Act &c., 160. See Page 211.
- “ respecting opening Roads through Wilderness Lands, 177.
- “ in Committee of Ways and Means, 186.
- “ that it is desirable to have the survey of the River Saint John, made by Robert Foulis in the year 1826, and filed in the office of the Secretary of the Province, 187.
- “ to Address His Excellency respecting Indian Reserves, 188.
- “ praying that His Excellency will be pleased to cause a line to be surveyed and marked out from the south point of Spoon Island due north, till it strikes the western boundary line of the County of Westmorland; and also from Spoon Island due south west to the south-west line of Merritt's Manor, thence north westerly to the rear line of A. Hamilton's location, with a view to ascertain the division line between King's and Queen's Counties, 182.
- “ praying that His Excellency will appoint one or more Commissioner or Commissioners to explore all those parts of the Roads lying on both sides of the River Saint John between Burgoyne's Ferry, in the County of York, and Patchell's, in the County of Carleton, with estimate, 198.
- “ praying that His Excellency will be pleased to appoint Commissioners in the County of Northumberland to protect and report on Indian Reserves, 199.
- “ that a Committee be appointed to correspond with the Province Agent in London, 193.
- “ praying that His Excellency will appoint Commissioners to make a thorough exploration of the Road between Miramichi and the head of Grand Lake, 190.
- “ that a Select Committee be appointed to take into consideration during the recess the subject of the Post Office department, 193.
- “ on Communication from Queen's Printer, 201.
- “ on Custom House Establishment at Miramichi, 201.
- “ praying His Excellency will be pleased to adopt such measures as will prevent the delay of the Custom House Returns being laid before the House in due time, 207.
- “ that it is expedient that a Bill be passed to discharge the Estate of the late Receiver General and his Sureties from all further liability upon payment of the sum of £1,612 5 3 currency, the balance admitted to be due by the Administrators of the Estate, 208.
- “ that it is not expedient at the present time to make the appropriations recommended in the report of the Navigation Committee, 208.
- “ praying that His Excellency will be pleased to direct to be laid before this House a copy of the Despatch from the Secretary of State, dated about the month of December, 1835, on the subject of completing the survey of a tract of Land purchased by the New Brunswick and Nova Scotia Land Company, 210.
- “ that all the information furnished by John C. Vail, and others, for the claim to the grant of the Legislature to encourage the running of a Stage between Saint Andrews and the Nova Scotia line, should be laid before the House, 210. See 214.
- “ respecting the Board of Audit, 214.
- “ praying His Excellency to appoint Commissioners to superintend the affairs of the Indian Tribes in the County of Gloucester, 219.
- “ for granting a certain sum towards procuring seed for the different Indian Tribes. Negatived, 221.
- “ praying that His Excellency will appoint a competent person to select the most proper site for a Bridge over the Arestook River in the County of Carleton, and report the same with the probable expense, 223.
- “ praying that His Excellency will appoint a Commissioner or Commissioners to explore and lay out a line of Road between the settlement of Little Rock and Eel River Bridge in the County of Gloucester, 225.

Resolution, that a Committee be appointed to examine and report upon the Contingent Account of the present Session, 225.

- “ on subject of the Road from Woodstock to the head of Oak Bay, in the County of Charlotte, 225, 226.
- “ that a Select Committee be appointed to prepare a Bill to regulate the practice, costs and proceedings in the Court of Chancery in this Province, and to report the same to the House at the next Session of the Legislature, 229.
- “ praying His Excellency to bring the aggressions committed by American fishermen in the Bay of Fundy and Gulf of Saint Lawrence, under the notice of Her Majesty's Government, 229.
- “ praying His Excellency to direct a line of Road to be explored and laid out from the Red Rock Settlement on the River Magaguadavic, to the Nerepis Road in Queen's County, 230.
- “ praying His Excellency to have the River Saint John above Fredericton scientifically and practically explored, provided that the expense shall not exceed £250, 230.
- “ praying His Excellency to appoint one or more Commissioners to explore a line of Road in the County of Carleton, leading from the Jacksontown Road through the Williamstown, Presque Isle, and Greenfield settlements, to the River Saint John; and further Resolved, that the expense of the said exploration be taken out of the Bye Road money at the next Session, provided the expense does not exceed the sum of £25, 230.
- “ that an humble Address be presented to His Excellency respecting Timber Licences, and all arrearages due on Timber and Logs, 231.
- “ praying that His Excellency will be pleased to adopt such measures as will enforce compliance with the Resolution of this House, passed the 10th day of March, 1835; and also another Resolution dated the 14th March, 1836, respecting unclaimed Grain Bounties. Resolved, that all sums unclaimed for Grain Bounties which may remain in the hands of the several Clerks of the Peace in this Province on the first day of February next, be then paid over by them to the Province Treasurer, 233.
- “ praying that His Excellency will appoint a Commissioner to explore and mark out a Road from the upper Bridge across the Magaguadavic River, near Brockway's, to the lower Bridge across the Saint Croix, 233.
- “ respecting Dredging Machine. See 233.
- “ that a Committee be appointed to wait upon His Excellency the Lieutenant Governor with a Copy of the Resolution of the Committee of the whole House upon the report of the Select Committee on that part of the Despatch of the Right Honorable the Secretary of State of the 5th September, 1836, relative to establishing an efficient Board of Audit within this Province, 233.
- “ that lists of persons who may be indebted for Land should be printed in the Royal Gazette for the information of parties interested, with a view to their making payment, 234.
- “ see Resolutions as to the investment of the Crown and Territorial Revenues ceded to this Province, 234.
- “ on report from George Hayward, Esquire, &c. relative to the Road between Camber's Creek and Burgoyne's Ferry; also from Camber's Creek to the old road towards Sutherland's Hill, and the Bridge over Murray's, 235.
- “ praying that His Excellency will be pleased to appoint three competent persons to examine and explore a new line of Road leading from the Nova Scotia line to Saint John, which extends to the Parish of Dorchester in the County of Westmorland, 236.
- “ that the alterations recommended by the Commissioners appointed to explore that part of the line of the Great Road on the eastern side of the river between the Nashwaak and the lower line of the County of York, be carried into effect by the Supervisor for that road during the present year, 236.
- “ respecting the Bridge across the Musquash River, 237.
- “ that an humble Address be presented to His Excellency setting forth that in the event of any necessity arising from a state of hostilities between the British Government and the United States, that His Excellency be authorized by and with the advice and consent of the Executive Council, to draw from the Province Treasury a sum not exceeding £10,000 to meet any emergency &c., and that the Legislative Council be requested to join therein, 237.
- “ see several Resolutions on the subject of the Address from the Montreal Constitutional Association, 238, 239.
- “ that an humble Address be presented to His Excellency praying that he may be pleased to transmit the foregoing Resolutions to Her Majesty's Government, to be laid at the foot of the Throne, 240.
- “ that an humble Address be presented to His Excellency, praying that he will be pleased to appoint Commissioners to select the best site for a Provincial Lunatic Asylum, and to furnish plan of a suitable building for the same, 240.
- “ that the House will not in future make any provision for the payment of reporting and printing the Debates of the Assembly, 241.

Resolutions, respecting the Montreal Association to be transmitted to Her Majesty's Government to be laid at the foot of the Throne, 241.

Return, from Mechanics Whale Fishing Company, 20.

“ from Assurance Company, New Brunswick, 80.

“ from Clerks of the Peace for the different Counties of assessments for poor for the year 1836, 20.

“ from the several Banks. See Bank.

“ From High Sheriff of the County of Carleton, of fines &c., 194.

“ of Lands granted or reserved for Schools, 109.

“ of Lands granted, reserved or holden for the Ordnance Department, 194. See Appendix, No. 3.

“ of Land granted or reserved for Indians, 194.

“ of Instalments due on Lands &c., 124.

“ of instalments due on five years Licences, 124.

“ from Crown Land Department, 22.

“ from Custom House. See Appendix, No. 15.

“ from New Brunswick Fire Insurance Company, 20.

“ from Central Fire Insurance Company, 54.

“ from New Brunswick Marine Assurance Company, 80.

Report, of Committee of House of Assembly of Nova Scotia on the subject of Fisheries, 62.

“ of Commissioners for providing a Dredging Machine. See 131.

“ and survey of the River Saint John above Fredericton, made by Robert Foulis in 1826, 194. See Appendix, No. 18.

“ of Committee on Roads of Communication, 87, 106, 186.

“ of Committee of Trade, 127, 202.

“ of Committee to revise Rules &c. of the House, 14.

“ of Committee on Navigation, 174.

“ of Committee on expiring Laws, 27.

“ of Committee on Light Houses, 105, 166.

“ of Committee of Finance, 240.

“ of Committee on Agriculture, 91.

“ of Committee on Petitions from old Soldiers, 139.

“ of Committee on Lumbering interests, 96. See 128.

“ of Committee on Fisheries, 101.

“ of Committee on all Petitions relating to Head Money, 102.

“ of Committee on Debates of the House, 14. See 19, 241.

“ of Committee on Public and Private Accounts, 113.

“ of Committee on Postage to Members, 90.

“ of Committee on King's College Charter, 234.

“ of Committee on alterations in Roads, 118.

“ of Committee on making provision for a Master of the Roads, 137.

“ of Committee on repairs &c. of Government House, 187.

“ of Committee on Schools, 224.

“ of Committee on Board of Audit. See Audit of Commissioners for locating English Emigrants, 190.

“ of explorations on Great Road from Fredericton to Saint Andrews. See Appendix, No. 6.

“ of Road and plan of Road from Fredericton to Bend of Peticodiac, 59. See 212. Appendix No. 6.

“ of Road from Woodstock to Oak Bay. See Message from Governor, 70. Report 130. Grant for, 195. Appendix, No. 6.

“ of Road from the Bridge in Norton to the Church in Hampton, King's County, 88. See Appendix, No. 6.

“ of Road from Point Sapine, 88. See Appendix, No. 6.

“ of Committee on franking Letters by Members of the Legislature, 90.

“ of the Great Road from the Nashwaak, opposite Fredericton, to the Finger Board, 103, 212. See Appendix, No. 6.

“ of exploration of Road from Saint John to Saint Andrews, with plan, 133. Appendix, No. 6.

“ of Committee appointed in March, 1836, to collect information as to opening Roads, which was submitted to the last House of Assembly on the 13th January, 1837, 139.

“ of Board of Audit on various accounts of expenditure by Commissioners of Bye Roads, 148.

“ of Honorable William Crane, of his proceedings from 6th April last, the day of the departure of his Colleague from London, 63. See Appendix, No. 9.

“ respecting Lunatic Asylum, 84. See Appendix, No. 11.

“ of Deputy Commissioners of Crown Lands for the several Districts, 218. Appendix, No. 3.

“ of Her Majesty's Attorney General of proceedings on behalf of the Crown against the Estate of the late Receiver General &c., 145.

“ of Commissioners to run out and ascertain a line of division between this Province and the Province of Nova Scotia, with an account of the expense incurred amounting to £162 2 5½, recommended by His Excellency to the House, 138.

- Report of Road between the Falls at the Magaguavic and the Nerepis Road, 208. Appendix, No. 6.  
 " of Commissioners on Casual Revenue Accounts, 213.  
 " of Commissioners to explore the Great Road from Fredericton to the Canada line, which lies between Camber's Creek and Bourgoyne's Ferry, 218. Appendix, No. 6.  
 " of Committee of Public and Private Accounts on expenditure on Great and Bye Roads, 186.  
 " of Commissioners of Road between Camber's Creek and Bourgoyne's Ferry; also from Camber's Creek to the old road towards Sutherland's Hill and the Bridge over Murray's, 235.  
 Royal Road. See Report of Committee, 229.  
 Rail Road, Quebec and Saint Andrews, 27. See 58. Appendix, No. 3.  
 Roads. See Message from the Governor, 83.  
 " See Committee to examine and report on all Petitions for and against alterations &c., 86. Reported, 118.  
 " exploring of. See 230, 233, 236.  
 " through Wilderness Land, 177.  
 Roads Great, Grant for. See 106, 122, 134, 153.  
 " See Special Grants for, 106.  
 Road from Fredericton to Westmorland, and Road to the head of the Tide at Richibucto River. See Address to the Governor, 177. See 212.  
 " on the eastern side of the River Saint John, between the Nashwaak and the lower line of the County of York. See Resolution, 236.  
 " respecting the Bridge across the Musquash River. See Resolution, 237.  
 Roads Bye. Grants for Kent, 123.  
 " " Northumberland, 141.  
 " " Gloucester, 151.  
 " " Carleton, 155.  
 " " Westmorland, 157.  
 " " King's, 170.  
 " " Sunbury, 179.  
 " " Queen's, 180.  
 " " Charlotte, 182.  
 " " St. John, 196.  
 " " York, 204, 227.  
 Road Making. See Message from Governor, 83.  
 Receiver General, the late G. P. Bliss. See Address to the Governor, 130. Answer, 134. Report of Attorney General, 145. See Resolution, 208.  
 Revenue. General abstract of and expenditure, 52. See Report of Commissioners on Casual Revenue Accounts, 213.  
 " Crown and Territorial. See several Resolutions as to the investment thereof, 234.  
 " Collection of. See Bills, No. 90, 97.  
 Receiver General, the late, Estate of. " " 105.  
 Representation of King's County. " " 59.  
 Real Estate. " " 100.  
 Rights of Copy. " " 76.  
 Roads and Highways, Woodstock. " " 40.  
 Roads, Great. " " 65, 67, 84.  
 Roads and Bridges, appropriation. " " 88.  
 Rolls, Master of. " " 85.  
 Rankin, Robert & Co. Petition from, No. 135, 136, 137, 138.  
 Ramsay, Hugh and Archibald. " " 195.  
 Rait, James. " " 261.  
 Reed, Joseph, and 62 others. " " 153.  
 Rector, Church Wardens &c. St. George, County Charlotte. " " 50.  
 " " Christ's Church, Fredericton. " " 229.  
 Ring, Jarvis and others. " " 47.  
 Ritchie, Arthur & Co. " " 176.  
 Robertson, Robert. " " 34.  
 Robinson, John, Esquire, and 40 others. " " 99.  
 Robinson, Joseph &c., and 40 others. " " 217.  
 Robinson, Joseph and others. " " 252.  
 Robicheau, Dominique &c. " " 193.  
 Rogers, John &c., and 30 others. " " 219.  
 Ross, James. " " 270.  
 Rush, Andrew. " " 14.

## S

- Speech at opening the Session, 8. Address in answer, and 200 copies to be printed for the use of the Legislature, 8. See Committee of the whole, 14.  
 Hon. Charles Simonds chosen, 6. Approved, 7.

Speaker, Mr. laid before the House weekly balance sheets of Commercial Bank, 10.

“ “ laid before the House a Letter of thanks from Henry Bliss, Esquire, 11.

“ “ laid before the House several Returns from Banks and other incorporated Companies for the past year, viz.:

Returns from Central Bank for periods ending March, June and December.

“ “ City Bank for the periods ending May and November:

“ “ Charlotte County Bank, “ April.

“ “ Saint Stephen's Bank, “ April and July.

“ “ New Brunswick Fire Insurance Company, to 1st March.

“ “ Saint John Whale Fishing Company, up to 1st September, together with a list of Stockholders in said Company. See page 20.

“ “ from the Clerks of the Peace for the several Counties of the assessments in the year 1836, for the support of the Poor in the respective Parishes in each County, viz :

Saint John,	Westmorland,
York,	Northumberland,
Charlotte,	Carleton,
King's,	Kent,
Queen's,	Gloucester,
Sunbury.	

Page 20.

Speaker, Mr. laid before the House a statement shewing the affairs of the Bank of New Brunswick on the first day of January, instant, 29.

“ “ laid before the House various documents received from the Speaker of the House of Assembly, Newfoundland, accompanied by a Letter relating to the appointment of the Sergeant at Arms and Clerk by the House, 30.

“ “ laid before the House a Communication from the Montreal Constitutional Association, with an Address from that to the Legislature of this Province. Lie on the Table, 39. Resolution thereon, 39.

“ “ laid before the House Returns from the Central Fire Insurance Company, up to the 4th instant, 54, and

“ “ a similar Return from the Saint Stephen's Bank up to the first Monday in the same month, 54.

“ “ laid before the House Plans, Surveys, and other documents connected with the contemplated Rail Road between Quebec and Saint Andrews, 58.

“ “ reported that His Excellency had been pleased to give his assent to the Militia Bill, 79.

Schools. See Message from Governor, 85.

“ See Address to the Governor, 66. Committee appointed, 115. Reported, 225. See Grant for Books, 226.

Schools and Churches, return of Lands granted or reserved for, 109.

Sergeant at Arms, George Garden, Esquire, appointed, 6.

Somerville, Rev. James, appointed Chaplain, 9.

Secretary's Office. See average of three years Stationery, Printing, Book Binding, &c., 51.

Simpson, John, Esquire, Queen's Printer, his Account and Letter laid before the House, 159. Referred to Committee of Supply, 201.

Saint Stephen's Bank, Return from, 54.

Saint Andrews Custom House Returns, 190. See Appendix, No. 15.

Saint John “ “ 190. “ “ 15.

Saint John River. See Report of Robert Foulis. See Appendix, No. 18.

Saint John County Bye Roads, Grants for, 196.

Supplies for the Public Service. See Appropriations and Committee of the whole on Supplies.

Survey of Bay of Fundy. See Address to His Excellency, 61.

Supreme Court, Grant for building of, 170.

Sunbury Bye Roads.

Survey. Grant for making a Geological Survey of certain Sections or Districts of the Province, 134.

Survey of Roads. See Roads and Reports.

Surveyor General and Commissioner of Crown Lands. See Despatch, 81.

Soldiers, old. See Committee, 10.

Savings Bank, County of Charlotte.

See Bills, No. 8.

Salisbury and Hopewell, Parish division.

“ “ 10.

Saint John Mill and Manufacturing Company.

“ “ 13.

“ Chamber of Commerce.

“ “ 21.

“ City Bank, Directors of.

“ “ 28.

“ Streets and Squares.

“ “ 41.

“ Nightly Watch, &c.

“ “ 50.

“ and Saint Andrews Stage Coach Company.

“ “ 55.

“ and Saint Croix River Canal Company.

“ “ 43.

“ House of Correction.

“ “ 58.

Saint Andrews Water Company.

“ “ 29.



Saint George, Parish division.	See Bills, No. 23.
Soldiers, unlawful dealings with.	" " 78.
Soldiers, old, annuity to.	" " 19.
peaker and Members' pay.	" " 3.
Stockholders and Directors of Banks.	" " 16.
limitation of Bank Stock.	" " 52.
Stanley and Douglas Parish division.	" " 31.
Saint John Alms House Infirmary, &c.	" " 66.
Fires.	" " 69.
Orphan Benevolent Society.	" " 83.
Water Company.	" " 91.
Saint Mary's and Douglas division.	" " 82.
Sheriffs and Supervisors of Great Roads.	" " 102.
Surgery and Physic.	" " 94.
Suits before Justices of Peace.	" " 6.
Samuel, Michael.	Petition from, No. 54.
Seely, Edward, &c. and 39 others.	" " 57.
Segee, William, Senior,	" " 97.
Seabrooks, Nathaniel.	" " 102.
Sentill, William R. and 15 others.	" " 142.
Seacord, Elias.	" " 144.
Sharp, James and Clowes.	" " 78.
Sinnett, George.	" " 93.
Simkin, John.	" " 26.
Silikin, William.	" " 28.
Sime, Thomas.	" " 31.
Sime, Thomas, and others.	" " 184.
Simonson, John N. and Benjamin Churchill,	" " 196.
Simmons, Hicks.	" " 147.
Slader, William,	" " 325.
Smith, Peter, and others.	" " 31.
Smith, John, and 82 others.	" " 141.
Smith, Thomas, and 21 others.	" " 154.
Smith, Thomas.	" " 319.
Souter, Rev. James, and 79 others.	" " 100.
Street and Ranney.	" " 7.
Strachan, Patty L.	" " 32.
Stone, Joshua.	" " 35.
Stewart, Catherine.	" " 91, 279.
Starkey, Mordecai.	" " 162.
Stage Coach Company, Woodstock and Fredericton,	" " 170.
Steven, Rev. James, &c. and 78 others.	" " 207.
Stevens, George, and 135 others.	" " 290.
Saint John Water Company, President, &c.	" " 24.
Saint George Parish, Rector, &c.	" " 50.
Saint John, Mayor, Aldermen, &c.	" " 183.
Saint John Justices of Peace.	" " 185, 190, 191, 206, 235, 251.
Saint John Water Company.	" " 313.
Saint John Bridge Company.	" " 320.
Saint John and Saint Andrews Stage Coach Company.	" " 41.
do. do. praying the same be incorporated.	" " 200.
Sutherland, Abigail.	" " 278.
Swim, James and William.	" " 248.
Squires, Jabez C. and two others.	" " 98.

## T

Tavernkeepers and Retailers.	See Bills, No. 32.
Timber Duty, &c.	" " 106, 107, 108.
Thornton, Thomas.	See Petitions, No. 22.
Thurgar, John V.	" " 211.
Turner, Holden.	" " 94.
Tomer, Governor, and other Indians.	" " 121.
Tompkins, Jacob.	" " 152.
Tobique Mill Company.	" " 287.
Turner, Isaac, and 247 others.	" " 230.
Turner, Isaac, &c. and 61 others.	" " 238.

## U

Upham, Charles.	Petition from, No. 92.
Underwood, John.	" " 123.



Vessels with Passengers and Emigrants.  
 Vaccination of Children.  
 Van, Patrick.  
 Vail, Asher.  
 Vail, John C. and 82 others.

See Bills, No. 93.  
 " No. 64.  
 Petition from, No. 89.  
 " No. 143.  
 " No. 214.



Westmorland County Assessment for the year 1836, laid before the House by Mr. Speaker, 20.  
 " Bye Roads. See Grant for, 157.

Whale Fishing Company Mechanics, Saint John. Returns from, 20.

Wilmot, L. A. See Grant to, 228. Not concurred in by Council, 236.

Woodward, Isaac, Esquire, Member for Saint John, affirmation taken in lieu of oath, 6.

Water Company, Saint Andrews.

See Bills, No. 29.

" " Saint John.

" No. 91.

Watch and Lighting City Saint John.

" No. 50.

Wakefield Parish division.

" No. 74.

Wet Dock Company, Peticodias.

" No. 14.

Westmorland County division.

" No. 63.

Wharfage and Cranage.

" No. 5, 95.

Wills.

" No. 44.

Woodstock, Highways and Roads.

" No. 40.

Woodstock and Wakefield, Parish boundary line.

" No. 47.

Water Company, Saint John,

Petition from, No. 24.

Water Company, Saint John, amendment of Act.

" No. 313.

Wade, Thomas.

" No. 18.

Watson, Robert.

" No. 181.

West, William.

" No. 88.

Wedderburn, Alexander, Esquire.

" No. 307.

Weaver, Frederick.

" No. 117.

Welsh, Roger.

" No. 306.

Wetmore, David B. &c.

" No. 310.

Wheton, John, Esquire, and 37 others.

" No. 169.

Wheton, John, Esquire, and 159 others.

" No. 171.

Whitman, Edward T.

" No. 187.

Whitney, James.

" No. 321, 322.

Wilson, John, &c., and 157 others.

" No. 40.

Wilson, John, and 1500 others.

" No. 216.

Wilson, Elizabeth.

" No. 49.

Wilson, Reverend Robert &c. and 48 others.

" No. 158.

Wilson, Reverend Robert and others.

" No. 244.

Wilkinson, John, and 110 others.

" No. 233.

Wilmot, L. A. Esquire.

" No. 246.

Williams, Elizabeth.

" No. 312.

Wood, Thomas W.

Petition from, No. 328.

Woodward, Isaac, and John G.

" No. 56.

Woodland, Anthony.

" No. 101.

Wood, Thomas.

" No. 164.

Woodstock and Fredericton Stage Coach Company.

" No. 170.

Woodforde, William, M. D.

" No. 239.

Worden, Jarvis.

" No. 284.

Wright, Musco.

" No. 17.

Wright, William.

" No. 277.



York County Assessment for the Poor for the year 1836, laid before the House, 20.

" " Bye Roads. See Grants for, 204. See also 227.

" " General Sessions and Common Pleas. See Bills, No. 37.

Yeomans, Peter, and others. Petition from, No. 51.

Young, Catherine. " " 315.



## TABLE OF CONTENTS TO APPENDIX.

### 1837-8.

---

**No. 1. Returns from Banks, &c.**

Commercial	Bank.
Central	do.
City	do.
Charlotte County	do.
Saint Stephens	do.
Bank of New Brunswick.	
New Brunswick Fire Insurance Company.	
Mechanics' Whale Fishing	do.
Central Fire Insurance	do.
Marine Assurance	do.

**No. 2. Returns Assessments for Poor Rates,**

Saint John.  
 York.  
 Charlotte.    a  
 King's.  
 Queen's.  
 Sunbury.  
 Westmorland.  
 Northumberland.  
 Carleton.  
 Kent.  
 Gloucester.

**No. 3. Return from Crown Land Office of five year Licenses, to cut Timber and Logs.**

Return from same Office of Mill Reserves.

Account of receipts in same Office for Lands sold and leased, and contingencies, from June to July, 1837.

Account of receipts in same Office for Timber and Lumber, from June to July, 1837.

Payments recorded in same Office on account of Lands sold, leased and contingencies, from July to December, 1837.

Payments recorded in same Office on account of Timber and Lumber, from July to December, 1837.

Account current of Commissioner and Surveyor General with Casual Revenue.

Disbursement Account Current of Commissioner and Surveyor General.

Abstract of monies received and paid by Honorable Thomas C. Lee, Receiver General, up to 31st December, 1837.

Abstract of Casual and Territorial Revenue up to 31st December, 1837, made up by Honorable F. P. Robinson and Henry G. Clopper, Esquire, Auditors.

Return of one and five year Licenses, from May, 1835, to December, 1837, made up at Crown Land Office.

Return shewing instalments due on Lands sold or leased, up to December, 1837, made up at Crown Land Office.

Letter from Commissioner of Crown Lands to His Excellency, with statement, shewing total amounts received and paid from 1st January, 1830, to 31st December, 1837.

Schedule of Lands granted or reserved for Ordnance Department, made up at Crown Land Office.

Return from Crown Land Office, shewing Timber and Lumber cut in excess, and amount paid for such in 1836 and 1837.

Abstract of duties on Timber and Lumber received in 1835, 1836, 1837.

Abstract quantities cut during those periods.

Abstract quantities exported during same periods.

Quebec Rail Road Association Report.

- 
- No. 4. Reports from Board of Audit.  
 On account of disbursements in Crown Land Department, between January and June, 1837.  
 " accounts of expenses incurred in Crown Land Department, 18th October, 1837.  
 " accounts of Charles J. Peters, Junior, Deputy Surveyor, from November, 1835, to September, 1837.  
 " account of disbursements, up to 9th of December, 1837.  
 Replies from Commissioner of Crown Lands on Auditors Reports.  
 Do. to Auditors Report on accounts of Deputy Charles J. Peters, Junior.  
 Report on accounts furnished by Supervisors of Great Roads.  
*(See further Reports from Committee on Public Accounts, No. 7.)*  
 Reports on Accounts furnished by Commissioners of Bye Roads, viz :  
     Carleton.  
     York.  
     Sunbury.  
     Queen's.  
     Saint John.  
     Charlotte.  
     Northumberland.  
     Gloucester.  
*[(See further Reports from Committee on Public Accounts, No. 7.)]*
- No. 5. Schedule of Lands escheated for non-payment of Quit Rents.
- No. 6. Returns of explorations of Roads, viz :  
 From Fredericton to Great Falls.  
 " Fredericton to Saint Andrews.  
 " River Nashwaak to lower line of County of York.  
 " Fredericton to Bend of Peticodiac.  
 " Woodstock to Head of Oak Bay.  
 " Norton Bridge to Hampton Church.  
 " Point Sapin to Kouchibouguac.  
 " Nashwaak to Finger Board.  
 " Saint John to Saint Andrews, (alteration).  
 " Fredericton to Canada line, between Camber's Creek and Burgoyne's Ferry.  
 " Magaguadavic Falls to Nerepis.
- No. 7. Report from Committee on Treasurer's Accounts.  
 Reports from Committee on Public and Private Accounts.  
     on Light House Accounts.  
     " Great Road Accounts. *(See Report from Board of Audit, No. 4.)*  
     " Bye Road Commissioners. *(See Report from Board of Audit, No. 4.)*  
     " various other public Accounts.
- No. 8. Report from Nova Scotia on subject of Fisheries.
- No. 9. Report from Honorable William Crane, one of Deputation to England.
- No. 10. Documents relative to King's College, viz :  
 Account of Expenditure and Income.  
 Debts due from.  
 Do. due to.  
 Lands belonging to Institution, shewing those sold and leased on 30th December, 1837.  
 Number and names of Professors, &c.  
     Do. do. of Students.  
 Account of Fees and Tuition money.  
 Statutes, Rules and Ordinances.  
 Charter.  
 Reports from Committee on same.
- No. 11. Lunatic Asylum Report.  
 Record of Lunatics in temporary Asylum.
- No. 12. Return of Lands granted for Churches, Schools and Indian Reserves.
- No. 13. Dredging Machine, Report from Commissioners.
- No. 14. Report from Commissioners on line between Nova Scotia and this Province.
- No. 15. Custom House Returns.
- No. 16. Fees and perquisites of offices.
- No. 17. Return from Sheriff and Clerk of Peace for Carleton, of Fines.
- No. 18. Report of survey of River Saint John, from Fredericton to Grand Falls, in 1826.









